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SECTION 2
SEPT 12, 1957-

USE CARE IN HANDLING THIS FILE

Transfer-Call 421

Racial Situation - Explosion at Hattie
R. Cotton School - Nashville, Tenn.

Where Does Vagrant Kasper Get His Cash?—Box 913?

By GENE GRAHAM

BAUMGARDNER

[Handwritten signature]

A little and a lot are known of John Kasper, but the question that most are asking remains unanswered:

Where does he get his money?

The gangling Kasper, self-styled apostle of Fascist Ezra Pound, who admittedly mixed socially with Negroes before descending on Tennessee, is today a legal vagrant.

'The Most Vagrant'

In City Judge Andrew Doyle's opinion, he is the "most vagrant vagrant" he has ever seen, and that means under Nashville's city ordinances that he is literally "without visible means of support." "Visible," though, becomes the key term in Kasper's case. He has been in Nashville, on a more or less permanent basis, since Oct. 1, about Wednesday, Aug. 1.

He has had support, if invisible, since that time. He has put food to mouth regularly. He has found a nightly place to lay his head. He has had money to spend in two Nashville bars. He has had funds to hire a public stenographer to mimeograph his "get your shotgun" circulars.

He has found the money to print and widely circulate his "Last Days of Peace" circulars, as well as a printed handbill which earlier invited people to his ill-starred Centennial park rally.

Since he began his racist forays into Tennessee, someone has staked him to a 1953 red Plymouth convertible, license number 3F-7442. On May 8, 1957, Kasper licensed this car in Knox county in his own name, giving his ad-

dress as Route 1, Calahan road, Knoxville.

More lately, Kasper has had the cash to hire professional bondsmen—for himself and his followers. Professional bondsmen do not work for free. And at one whack he put up \$500 in the folding kind for himself.

Yet, when he was arrested early yesterday morning by Constable Floyd Peek, Kasper had only \$3 on his person. A few hours earlier his friends had called for cash donations from an audience of about 300 persons assembled near Croleywood. He received, according to one source, \$7 and some loose change.

This won't cut the tight money mustard in Nashville. Where, then, is the goose behind the golden Kasper egg? The FBI claims it doesn't know. So do local police. Who does?

Is the answer in Box 913 at the Nashville post office?

About 30 days ago, shortly after John Kasper took up temporary residence here, three men went to the Nashville post office and engaged Box 913, THE NASHVILLE TENNESSEAN learned yesterday.

One of these men took the box in his own name and in that of the White Citizens Council. The other two acted as the required references which the post office department must have. Kasper was not one of the three, it was reliably learned.

Who are they?

Regulations Forbid

"Postal regulations forbid our giving out that information," said J. Ross Hickam, postal inspector.

THE NASHVILLE TENNESSEAN
NASHVILLE, TENNESSEE
9-12-57 P 1
INTEGRATION IN PUBLIC SCHOOLS
CIVIL RIGHTS
ME 100-3595

File 6-ymw
44-12298

44-12298-A
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141 SEP 23 1957

ICC: AAG CRIMINAL DIVISION
FORM 6-95 *9/20/57 ym*

76 SEP 23 1957 *786*

Through the thousands of circulars distributed (never by mail) by Kasper disciples in Nashville, each has advised the recipient to join the White Citizens' Council. The charge is \$3 a head. The circulars ask that the people join, via Box 913.

How many letters have been received by Box 913 this month?

"Postal regulations forbid our giving out that information, too," said Hickam.

The latest printed circular distributed in Nashville is above the name of "John Kasper, executive secretary, Davidson county division, Tennessee White Citizens Councils."

It, too, exhorts Nashvillians to "join White Citizens Councils and help talk sense to race-mixing lunatics before it's too late." And it, too, solicits membership through Box 913.

This circular attacks "such down politicians as Eisenhower, Herbert Brownell, Estes Kefauver, Albert Gore, Frank Clement, Ben West, and the Nashville School board."

Others Targets Too

Those of the Jewish faith, both Nashville newspapers, Maclin P. Davis, Vanderbilt university, Peabody college, Fisk university and A&I State university are among the many other targets of Kasper in this circular. Some of the insults are unprintable.

Hickam said Box 913 was obtained under a regulation in the Postal Manual which says, "An association or society may rent a box but it may not be used for individual members other than officers addressed by their official titles." Kasper is one of these officials.

Hickam said postal regulations would forbid his saying, if he knew, who has been picking up the Councils' mail and contributions.

"They have the key and anyone designated could pick up the mail," he said.

Another postal manual regulation, he said, provides that "a box will not be rented to anyone the postmaster has good reason to believe will use it for the purpose of deception, for immoral or improper purposes, or for the conduct of a fraudulent or lottery business."

Will Study Circular

Kasper's latest circular was placed in the hands of Postmaster Lewis Moore yesterday by a representative of this newspaper. Moore said he will "study the circular and seek legal advice" as to whether he is empowered to close the box under the authority given him in the manual.

When he was arrested early yesterday, he was in bed at 2901 Scott ave. The telephone is listed to the family of Fred H. Boatman (CAnal 8-2713).

Mrs. Boatman said "I don't have further comment" yesterday when asked to confirm that it was at her home Kasper was arrested. Asked if she would say whether he had been there or, if so, how long he has stayed, she replied:

"No, I wouldn't."

Kasper was observed by newsmen at the back door of the Scott avenue address earlier this week. His red convertible was parked in the garage beside the house.

Kasper has also reportedly stayed, since here, at the homes of W. C. Orman, who operates a grocery and light hauling business at 5510 Kentucky ave., and Robert W. Wray, 117 Jay st. He has frequently given newsmen these names, along with that of the Rev. Fred Stroud, as his "telephone contacts in case you want to reach me."

For a short while following his

arrival, he was frequently seen at a pie-wagon-tavern known as Candy John's at 407 Forty-ninth ave., N., just off Charlotte pike.

This place is operated by Vance Stevenson, an avowed Ku Klux Klan member. The establishment has two city beer permits, permit 707 for beer-to-go (off-sale) and permit 610 for sales on the premises (on-sale). Neither permit is in Stevenson's name. The holder of the permits is W. M. (Mack) Cox, who operates a grocery on Murphy road.

For a time, Kasper was reported to have congregated at Candy John's with young men, some of whom had been in previous trouble with the law. He stopped frequenting Candy John's, however, after Verner C. King, West Nashville resident and member of the beer board, reported his presence to City Beer Inspectors John Quinn and Curley Stone.

They called upon Stevenson and

he denied the association, said Mrs. Mattie Tarkington, beer board secretary.

Another favorite eating place for Kasper, for a time, was Olive's Drive Inn restaurant, 2217 Charlotte ave., according to Police Chief D. E. Hosse.

The owner and operator is Jesse Olive, who said yesterday "Kasper hasn't been around here for almost a month."

Olive, too, has on and off-sale beer permits, numbers 583 and 675, respectively. His establishment has a clean record with the beer board although last Monday he was ordered to remove curtains from his front windows. The curtains shield the view inside from the street.

A clear view into a tavern is one of the requirements of beer establishments here.

Olive explained that the curtains were put up because the booths in his place were built higher

than the windows and it improved the looks of his business.

"Kasper came in here several times," Olive said. "He never caused any disturbance. Just sat around quietly and talked."

His circulars have served the purpose of drumming up crowds and advertising his meetings, as well as to carry his race-baiting message.

It is reported most of his mimeograph and stenographic work has been done by Miss Grace Dawson, who has offices in the Baxter building and who lives at 4010 Brush Hill road.

Asked about these reports yesterday, Miss Dawson replied, politely:

"I never bother to tell anyone about my customer's business. Anyone who works for the public has an obligation to keep the customer's business in the strictest confidence. That is one reason I

have as many friends and customers as I do."

While in Nashville, Kasper has also been a frequent visitor to the 191 club near the bus terminal, and less frequently at the Carousel club, 220 Printers alley. Both are mixing bars, in the Nashville tradition.

All of this, though, takes a certain amount of money.

What is the source? Where is the well-spring? Box 913?

Some have wondered if John Kasper has a single huge source elsewhere, a money well that keeps pumping. If so, then how does it pump the money to him? Box 913?

Some have wondered, too, why Kasper is so constantly eager to tell how he was "schooled" by the poet, Ezra Pound, unquestionably

the No. 1 known American Fascist still alive today. Kasper has repeatedly denied Communist affiliation and accuses many of his foes of being Reds.

Why, then, some wonder, did he take the trouble in his latest circular to point out that the "1927 (Communist party) platform . . . calls for inciting Nigras (his spelling) against whites"?

He is the one who stands legally accused of inciting. Why?

Pound is perhaps the most fanatic racist in this nation. Why did a young man, Northern bred, accustomed to association with members of the opposite race in more compatible circumstances than is normally the case, seek out Pound?

Like the money, this is another of the Kasper mysteries.

Racial Situation - explosion at Hattie R. Cotton school - Nashville, Tenn.

No Authority For Troop Use: Clement

By JIM SCOTT

Gov. Frank Clement today told the Parents School Preference Committee he has no authority, — constitutionally or statutory — to use his police powers to halt desegregation of Nashville City schools.

He added that the Attorney General's office is studying the Federal Court ruling which overturned the State's school preference law. He indicated that if an appeal was possible from the ruling, the State would act.

Clement made these statements to a delegation from the preference committee after its chairman, Chester Mason, read a statement which included these two requests:

"1. That he (the Governor) take all steps within his official power and also exert his personal influence to see that Judge (William E.) Miller's opinion be appealed with all possible promptness.

"2. That he immediately invoke his police powers to maintain peace and tranquility in the sovereign State of Tennessee and that he use such officers as are necessary to prohibit the entrance of Negro children into the schools of Nashville, as their presence there constitutes a clear and present danger, and is a threat to the peace and tranquility of the State of Tennessee."

Powers

Elaborating on "his powers," Clement said:

"I feel sure that this group, which is insisting on law and order . . . would not ask the Governor to violate other laws.

"Under our laws and constitution, I have no authority to use police powers unless and until law and order has completely broken down.

"And under the laws of our State, school policies are made at the local level."

The Governor added that he surveyed the situation in Clinton for a week before reaching his decision to send in National Guard troops. He said he had refused to send in troops earlier because his investigation had shown that law and order had not broken down.

He told the preference committee delegates—two men and five women—that he sent the Guard into Clinton only after the mayor's home had been stoned and a Negro sailor had been threatened.

No Escort

"We did not escort a single Negro into or out of the Clinton schools. My orders were specific (on that subject)," he added.

"I am not addressing myself

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THE NASHVILLE BANNER
NASHVILLE, TENNESSEE
9-9-57 p 1
RACIAL SITUATION, EXPLOSION
HATTIE R. COTTEN SCHOOL
NASHVILLE, TENNESSEE

ME 100-3595

File 6-ymw
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ICC: AAG CRIMINAL DIVISION
FORM 6-95 *9/20/57*

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to what is going on in other states, but I cannot act short of a breakdown of law and order," Clement said.

Preference committee chairman Mason said his organization endorsed "wholeheartedly" the Tennessee voluntary preference law which the Governor sponsored for passage in the legislature and signed into law.

"We believe the law to be constitutional."

"We believe that Federal District Judge W. E. Miller, in his decision of last Friday, Sept. 6, gravely erred."

Ask 3 Judges

"He failed to consider the Parents School Preference Committee's plan—based upon the Tennessee voluntary preference law—as allowing for full integration. He persisted in interpreting the Tennessee voluntary preference law as instituting, or continuing, segregation, whereas, in fact, it allows and provides for total integration if the citizens of Tennessee so desire it."

Mason, addressing himself to State Atty. Gen. George McCanless and Solicitor Gen. Allison B. Humphreys, asked if the State still contended that a three-judge Federal Court should have ruled on the constitutionality of the preference law.

McCanless said the State's attorneys were of that opinion then and still hold the same opinion.

"we propose to persist in it and hope to reverse his ruling."

Humphreys added: "With all due respect, we think his (Judge Miller's) decision is erroneous."

Both of the State's attorneys pointed out that the State's role in the Federal Court hearing was that of a "friend of the court" and whether the State has the right of appeal in the case is under study.

Not Final

Clement called Judge Miller's ruling an interlocutory decree and not a final decree, indicating that the State and others may have to await final disposition before effecting an appeal.

However, McCanless said that it was his opinion that the Federal judge's ruling only affected the situation in Nashville and that other school boards could use the preference law.

Both State's attorneys said they would study the committee's brief which was presented in Federal Court and would confer with the committee's attorneys "at any time to discuss the intricate and technical aspects of the situation."

After the conference with the Governor, Preference Committee Chairman Mason had "no additional comment" other than to say "we wanted to get him on the record."

At the outset of the meeting, Clement told those present that he "appreciated the dignified manner in which you have approached me on this."

"You lend dignity to your views whether some people agree or disagree with you."

*Racial Situation - Explosion -
Hattie R. Cotton School
Nashville, Tenn.*

Bill Names Kasper, Rev. Stroud

Race Agitator Jailed in Lieu of Fines;
Filing of Petition Expected Today,
West, Elledge, FBI Agree on Move

By WALLACE WESTFELDT and NELLIE KENYON

The federal government and city of Nashville prepared yesterday to seek an injunction against John Kasper to prevent interference with the peaceful desegregation of Nashville public schools.

The petition for the injunction is expected to be filed in federal court today.

The Rev. Fred Stroud, pastor of the Bible Presbyterian church, 902 Monroe st., and 20 to 25 other persons will also be named in the restraining order, officials said.

Mayor Ben West made the announcement after a seven-hour conference with U. S. District Attorney General Fred Elledge, school board attorneys and a representative of the Federal Bureau of Investigation.

Government Enters

The federal government entered the move, Elledge said, when he received a verbal request from Federal District Judge William E. Miller to join the suit by filing a friend of the court brief.

As the local and national governments took preliminary steps to prevent Kasper and his followers from

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THE NASHVILLE TENNESSEAN
NASHVILLE, TENNESSEE
9-12-57 p 1
INTEGRATION IN PUBLIC SCHOOLS
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further interfering with the city's schools, two other developments, both related to the New Jersey born segregationist occurred.

They were:

- Kasper was confined to the city workhouse after failing to pay \$200 in fines as a result of his conviction on four charges by City Judge Andrew Doyle.
- The county grand jury started a sweeping investigation into the charges against Kasper of allegedly inciting to riot, the dynamiting of Hattie Cotton school and whether the two are directly related.

And courthouse sources said that if an indictment is returned against Kasper, the county attorney general's office will ask Kasper be sent to Central State hospital for mental examination.

Kasper was brought to city court from county jail where he spent Tuesday night after being picked up for

(Continued on Page 7, Column 2)

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third time within 12 hours on state charges of disorderly conduct by inciting to riot.

He made the trip in the patrol wagon and as he stepped out of the dark maroon vehicle, his face broke into a wide grin.

A short while later, however, his face had a solemn, somewhat disturbed look on it as he was taken to the city workhouse. Convicted on two counts of disorderly conduct, one of vagrancy and one of loitering, he was fined \$200.

Pay or Work

And after he either pays this fine or works it off (it would take 133 and a third days) he will be returned to the county jail pending disposition of the state charge.

Kasper said he would appeal Doyle's conviction and Judge Doyle told him he had through Friday to file his plea.

When Kasper's trial was called, the lanky segregationist asked that it be delayed to give him time to prepare his defense.

Judge Doyle refused his request.

M. S. Ross, a Nashville attorney, acted as Kasper's attorney during the motion for a continuance but withdrew when the case went to trial, and Kasper acted as his own attorney.

"I have not had an opportunity to call witnesses or study the charges against me," Kasper said when ordered to stand trial. "I do have certain constitutional rights guaranteed to every citizen. I am not in any way able to prepare my defense."

5 Officers Testify

Five police officers testified in the trial that Kasper violated city ordinances by blocking Cleveland street (loitering) where Glenn school is located, inciting crowds at Glenn school and in front of War Memorial building to riot (disorderly conduct) and having no visible means of support (vagrancy).

Officers who testified were Assistant Police Chief Frank Muller, Sgt. Morgan Smith, Patrolman W. R. Eller and Constable Floyd Peek.

Muller said Kasper talked to a crowd in front of Glenn school and caused such a disturbance classes could not be taught.

He testified also that Kasper's driver's license lists the segregationist as "unemployed."

Peek testified he heard Kasper tell a segregationist rally "blood would run in the streets of Nashville."

Held a Rope . . .

"He held a rope above his head," Peek declared, "and he named lawyer (Z. Alexander) Looby. That's why I put him in jail."

Eller testified that he, too, heard

Kasper name Looby, a Negro city council member in the same speech.

Examples of the testimony brought out under cross-examination of Muller and Smith by Kasper:

"How do you know they couldn't conduct classes at the school?" he asked Muller.

A. I talked to the teachers after you left.

Q. Do you recall me ever advocating violence?

A. I didn't say you advocated violence.

"Do you recall that on some 15 or 20 occasions (after Kasper's arrest) you threatened to kill me in the presence of other officers?" Kasper asked Smith.

Judge Doyle overruled the question, but Smith denied ever having made such a threat.

Under further questioning, Smith said that he had not asked Kasper if he was gainfully employed.

At this point in the proceedings, Assistant City Attorney Robert Jennings said that it was up to the defendant to prove

that he was not a vagrant.

"I'm on trial and I'm not going to trial without defending myself," Kasper said.

"You are going to jail if I can put you there," Jennings retorted, "and I'm going to do my level best to put you there as long as I can."

Cross-examining Peek, Kasper asked:

Q. You are certain that I said something about blood going to run in the streets?

A. Absolutely positive.

Q. What did I say about Lawyer Looby?

A. I have your exact statement written down but I don't have it here.

Q. Are you willing to testify under oath that I said he should be hanged?

A. That's the impression I got. In pronouncing Kasper guilty, Judge Doyle said:

"You are vagrant in the lowest possible degree of vagrancy."

"If any blood should run in the streets of Nashville, you and your kind are responsible for the deaths of those people."

"We do not want you and your ilk around here. The kind of people who follow you everywhere are uneducated and have a hard time earning a living."

The judge then cited a case in city court earlier in the day in which a white man was charged with attacking a 14-year-old Negro boy.

"Striking that young Negro," he

said, "is a direct result of what you advocate. That man didn't have any better sense than to go down there with a knife and brass knucks."

Injunction Conference

The conference in which plans to secure an injunction to protect the city's desegregated schools took place in Elledge's office.

Elledge conferred several times by telephone with the U. S. attorney's office at Washington. He said this was in the course of "working out details" concerning the injunction application.

At the conclusion of the meeting Elledge issued a statement saying he had advised Mayor West that the department of justice "is prepared to give any

proper assistance to the federal court in the Nashville school case, if requested to do so by Federal Judge Miller."

Next came the statement from West saying "the U. S. attorney and city officials have been working through the day on plans to apply for an injunction immediately against all persons who have sought to prevent the school board from carrying out the orders of the federal court by gathering in front of schools or otherwise."

West said that "anyone violating the injunction will be subject to investigation by the Federal Bureau of Investigation and prosecution for contempt by the United States attorney's office."

"We intend to see that no one interferes with the education of

our children and ask all law-abiding citizens to help us," West said.

Ask Bond Revoked

Mayor West also asked that Elledge transmit a request from West to the U. S. district attorney for East Tennessee asking him to request the court there to revoke Kasper's bond in the latest case pending against Kasper.

Kasper is under a \$1,000 bond in the East Tennessee case in which he is charged with conspiring to defeat the court integration order. It is the most recent one involving Kasper and has not been appealed.

Injunction Asked

NASHVILLE, Tenn. (AP).—Federal Judge William E. Miller was asked today to issue a "Clinton Injunction" forbidding any interference with peaceful desegregation of Nashville strife-torn schools. Lawyers for the school board asked for an injunction against 12 named individuals "and other persons in active concert or participation with them."

(Earlier Story on Page A-4)

*Racial Situation -
Explosion at Hattie
R Cotton School
Nashville, Tenn.*

C.F. Williams

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
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Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

Petition for Injunction Prepared at Nashville

NASHVILLE, Tenn., Sept. 12 (AP).—School officials, hoping for a permanent end to violence after a day of uneasy calm, kept doors open to racially mixed first grades today. They were backed up by police and prospects for a Clinton-type Federal injunction.

Mayor Ben West and United States District Attorney Fred Elledge, Jr., prepared a petition for Federal District Judge William E. Miller, seeking the injunction to prevent interference with integration here.

It was under an injunction of this type that Northern segregationist John Kasper was twice convicted in United States District Court at Knoxville of stirring up racial strife at Clinton, Tenn.

Kasper, also accused of fomenting violence here, was sent yesterday to the city workhouse after his third arrest within a 12-hour span.

Bond Revocation Sought

Mayor West said he also will seek to have Kasper's bond revoked in his first contempt conviction in the Clinton case. If the bond is revoked, Kasper must serve a year in Federal prison.

The latest charge against him, based on speeches he made in a series of meetings here, is inciting to riot. He was sent to the workhouse after he failed to pay a \$200 fine for disorderly conduct, vagrancy and loitering. If he pays the fine, he will be returned to county jail for disposition of the State charge of inciting to riot.

First grades were integrated here Monday, under orders from Judge Miller in six schools. A total of 15 Negroes showed up for first-day classes,

and racial flare-ups followed immediately.

Violence came to a climax early the next morning when a dynamite blast ripped open one of the integrated elementary schools. But officials of the damaged Hattie Cotton School offered hope that it would reopen Tuesday.

Six Men Picked Up

Six men have been picked up for questioning in the school dynamiting. Three of them were fined \$50 each in city court for possessing weapons. They were bound to the grand jury on companion State charges and held in lieu of \$25,000 bond. The other three were charged with vagrancy. All six have denied any part in the dynamiting.

In the other schools, attendance dropped sharply, running about 40 per cent of normal. Total attendance yesterday was 1,184 out of an enrollment of 2,912. Negroes were present at all but one school.

Meanwhile, a crowd of about 200, meeting in a suburban lot after police banned gatherings of more than three persons within the city limits, were urged last night to contribute at least \$200 to help in Kasper's defense. Tuesday night Kasper himself reportedly collected slightly more than \$7

from a crowd of about 300 meeting in the same lot.

The Rev. John Mercurio of Los Angeles told the crowd, "If John Kasper can get arrested on a charge of vagrancy for going around preaching to people, Jesus Christ could have been arrested on the same charge."

And another speaker, who did not identify himself, urged the crowd to remain peaceful and orderly. Deploing the school bombing, he said, "We are going to have to pay for that out of our own pockets. It didn't help anything."

A thunderstorm broke up the meeting after about an hour. The rain may also have served to supplement police action by putting a damper on further racial flareups.

Kasper was convicted in Knoxville in August, 1956, and again last July of violating United States District Judge Robert L. Taylor's injunction against interfering with integration of Clinton High School. Judge Taylor had ordered Clinton High to integrate last fall.

The first time, Kasper was adjudged by Judge Taylor in criminal contempt of court and sentenced to a year in prison. He is appealing to the United States Supreme Court. The second time, last July, he was convicted of criminal contempt by an all-white jury and is awaiting sentence.

July 6 - 12298

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N. Y. Journal-American _____
N. Y. Mirror _____
N. Y. Daily News _____
N. Y. Times _____
Daily Worker _____
The Worker _____
New Leader _____

Date 9-12

ICC: AAG CRIMINAL DIVISION
FORM C-95 *C 9/20/57*

A-4 X THE EVENING STAR, Washington, D. C.
THURSDAY, SEPTEMBER 12, 1957



NASHVILLE MAN SOBS IN COURT—Husky, tattooed G. H. Akins weeps in Nashville City Court when he is fined \$50 for his part in integration disturbances around the city's elementary schools. His daughter Lily, 8, sobs in her mother's arms, while another daughter Barbara, 6, appears unaware of the drama.—AP Wirephoto.

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N. Y. Journal-American _____
N. Y. Mirror _____
N. Y. Daily News _____
N. Y. Times _____
Daily Worker _____
The Worker _____
New Leader _____

Date _____

Brief Kasper Liberty Ended by Tennessee

Gets Bail on City Charges, Racist Jailed Again on State Riot Count

NASHVILLE, Tenn., Sept. 12 (AP).—After lunching on cabbage and cornbread, segregationist John Kasper of New Jersey was turned out of the city workhouse today on a \$600 appeal bond.

His freedom ended a few moments later, however, behind the county jail bars where he was held on a state charge of inciting others to riot. The city and state charges stemmed

from Kasper's recent anti-integration activities here.

Merchant Posts Bond

The appeal bond was posted by Porter Freeman of near-by Nolensville, a feed merchant and frequent candidate for local offices. Kasper spent twenty-four hours in the workhouse after being fined in city court.

The segregationist this morning went to work as a bar wiper in the workhouse. He was handed a rag and told to start wiping the workhouse bars—wearing the same street clothes he had on when he was committed yesterday. Kasper went at his task somewhat reluctantly.

Shortly before noon he wailed: "I want to see the chief of police. This can't go on."

United States Action Sought

City officials said they will seek revocation of Kasper's \$13,000 appeal bonds on two previous Federal court convictions for anti-integration activities last year at Clinton (Tenn.) High School.

The self-described "rabble rouser" went to the workhouse yesterday when he couldn't pay a \$200 fine in city court. The fine was imposed by Judge Andrew Doyle when Kasper couldn't raise the money. He was fined \$50 each on charges of disorderly conduct, offensive conduct, vagrancy and loitering for his part in demonstrations against integration of first graders in Nashville's elementary schools.

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Daily Worker _____
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Date _____
SEP 13 1957

1CC: AAG CRIMINAL DIVISION
FORM 6-95 *29/29/57*

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76 SEP 23 1957

*Racial Situation - Exploring at Hatter 10.
Cotton School - Nashville, Tenn.*



Associated Press wirephoto

KASPER IN JAIL—Segregationist John Kasper wiping jail bars after he was set to work cleaning in city workhouse at Nashville, Tenn., yesterday.

Kasper Ouster Deal Reported

Agitator Would Leave State for Good; But Grand Jury Action Sought Today

By WAYNE WHITT and MAC HARRIS

A representative of John Kasper proposed yesterday that the segregationist agitator leave the state permanently in return for the dropping of all charges against him here, it was learned from reliable sources.

These sources said the person making the proposition to an official said the White Citizens councils had concluded Kasper "could no longer be of service in Tennessee, that his usefulness had ended."

However, there seemed little likelihood that Kasper would be

released yesterday as these rapid developments transpired:

- Kasper was transferred to county jail from the city workhouse after Porter Freeman, Antioch feed merchant, posted a \$600 cash appeal bond.

- Attorney General Harry Nichol said the grand jury may return a presentment against the lanky segregationist before Kasper appears before General Sessions Judge Henry Todd at 2 p.m. today. A presentment would throw Kasper's case into criminal court.

- John Mercurio, 35, Ohio-born self professed minister and one of Kasper's loudest followers, was arrested by city police on four charges and held under \$200 cash bond.

- A now-famous postal box, No. 913 where Kasper's White Citizens council has been receiving its mail, was ordered closed by Postmaster Lewis Moore.

- Nichol indicated he would not press for a sanity test of Kasper as had been previously reported.

- Kasper followers, including his landlady, continued to disavow association with the New Jersey-born racist.

The offer to deal Kasper out of Tennessee met a cool reception here yesterday. Officials declined to comment on it.

"I did hear it as a rumor," said Police Chief Douglas Hosse.

Ross Says Deal 'Intimated'

M. S. Ross, Nashville attorney who has conferred with Kasper frequently, said the report might have grown out of "chance remarks." He said that it had been "intimated to me yesterday that if I get him out and away from here, charges would be dropped." But he added, "I've made no formal overtures of any sort."

Kasper, back in county jail

(Continued on Page 14, Column 3)

after spending about 24 hours in the city workhouse, is slated to appear before Judge Todd at 2 p.m. today on a charge of breach of the peace by inciting to riot.

However, General Nichol said that he will ask the grand jury for a presentment against Kasper this morning so that the segregationist will be forced to appear in criminal court. He said any charge brought by the grand jury would be of a more serious nature than the charge lodged against him now. Nichol did not disclose what the charge would be.

Kasper is being held in county jail without bond following his arrest early Wednesday morning by Constable Floyd Peek. He is charged with breach of the peace by inciting to riot.

Moved From Workhouse

Kasper was moved back to county jail about 3 p.m. yesterday after Freeman posted a \$600 cash bond with William DePierri, city court clerk.

Kasper had spent the first part of the day in the city workhouse washing bars, and sweeping floors.

Freeman, 42, a perennial office seeker in Davidson county, at first wanted to put up his house as bond for Kasper, but he was not allowed to do so. It had an assessed valuation of \$1,500 and city court officials said this was not enough.

Freeman, who owns a food store on Nolensville road, has run for tax assessor at least twice and the legislature at least once.

Freeman said he was assured he would get his money back that he put up for Kasper from the White Citizens council.

Postmaster Moore said Box 913 was taken out by three men. Jerry Pippin, 20, of 923 Bradford ave., yesterday told police that the box was taken out in his name.

"I contacted the man this morning (Thursday)," Moore said, "and told him I had closed the box. He said it was perfectly all right with him. He said he had signed up for it in good faith and didn't know it was going to be used like it was."

Lunacy Test Doubtful

Meanwhile, Nichol said that although a test of Kasper's sanity is still being considered a number of legal difficulties are involved at such a test may not be feasible.

Sources close to Gov. Frank Clement said yesterday Clement also has some misgivings about subjecting Kasper to lunacy test. Fear that a verdict that Kasper is not psychotic would tend to give Kasper a big boost in the eyes of some and would amount to making him a bigger person was cited as the governor's reason for his misgivings.

While Kasper spent most of yes-

terday in the city workhouse bunked with 11 other law violators, many Nashvillians who had been identified as followers of his disavowed their associations.



"I'm not an associate of his," said Vance M. Stephenson, 45, operator of Candy's Place, 407 Forty-ninth ave. N.

"Kasper has been here to eat about a dozen times, but he never talked about the race mixing," Stephenson said. "He is quite a coffee drinker

Stephenson

and he usually eats soup.

"I went out to his first meeting and to a meeting where (Asa) Carter spoke. But I'm not a member of the White Citizens council and I'm not a member of the KKK."

Mrs. Fred H. Boatman of 2901 Scott ave., admitted Kasper rented a room in her home but said it was "strictly a business proposition."

"He paid his rent every week," Mrs. Boatman said. "We rented the front bedroom to him like we would to you. We needed the money."

"Mr. Kasper came and went as he pleased. He didn't slip in and out. We went to a couple of his meetings just out of curiosity."

Mrs. Boatman said neither she nor her husband was a member of Kasper's group.

W. C. Orman, of 5507 Tennessee ave., denied that Kasper had ever been in his house.

"He has been in and out of my wife's store, but he never has been in my house," Orman said. He said his wife runs Orman's Grocery at 5510 Kentucky ave.

"I'm not an associate of Kasper's," he said. "I've met him and all like that. I belong to the Tennessee White Citizens council, but that has been here longer than Kasper."

Attorney Ross, who talked to Kasper in the workhouse yesterday, said that he did not withdraw as attorney for the segregationist in city court Wednesday.

"I wasn't representing him at all," Ross said, "except to ask if the court would continue the case."

Ross said he was conferring with Kasper in county jail when police came to get him and take him to city court.

"I had not been employed and I am not now," Ross said yesterday.

However, Ross added, "If I am employed, I will represent him to the best of my ability."

Re: INTEGRATION IN PUBLIC SCHOOLS, NASHVILLE, TENN. CIVIL RIGHTS

TOP CLIPPING

DATED 9-13-57

FROM Nashville, Tennessee

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ICC: AAG CRIMINAL DIVISION

FORM 6-95

9/23/57

THE NASHVILLE TENNESSEAN

9-13-57 p. 1

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F10

SEP 25 1957

4/ Racial Situation - explosion at Hattie C. Cotton school - Nashville, Tenn.

Told To Halt Interference In Schools

New Clue in Dynamiting Reported; Hattie Cotton May Open Tuesday; Integrated Class Attendance Rises

By WALLACE WESTFELDT and NELLIE KENYON

Federal Judge William E. Miller yesterday issued an order restraining John Kasper and 11 other segregationists and persons acting in concert with them from interfering with desegregation in Nashville schools.

The temporary restraining order is the first step toward securing a permanent federal court injunction to prevent interference with the peaceful desegregation of the public schools.

Another Day of Developments

Judge Miller's order keynoted another day of rapid developments in the Nashville school situation which ended its second complete day of peace at the schools.

The developments:

• The school board was informed by its instruction committee that nine classrooms in Hattie Cotton school will be available for use during the first part of next week—probably on Tuesday. The board was also told by a special board committee investigating the repair

and rehabilitation of Hattie Cotton that it will take "about 90 days" to return the structure to its former status.

• It was reported by reliable sources at police headquarters that a woman has given detectives a statement that she was in the automobile that was used to secure the dynamite for blasting Hattie Cotton school and has identified the persons guilty of the bombing.

• Attendance at the city's five desegregated schools moved slowly upward for the second straight day.

Petitioned by City

Judge Miller's restraining order was delivered yesterday afternoon on petition from the City of Nashville and the Nashville Board of Education.

In granting the petition, Miller said that the emergency of the situation demanded an early hearing for the persons named in the injunction to show cause

why the restraining order should not become a preliminary injunction.

He set the hearing for 1 p.m. Monday.

The restraining order is broad in scope. It not only prohibits Kasper and 11 other specifically named segregationists from interfering with desegregation of the schools, but also "their agents, servants, representatives, attorneys and other persons now or hereafter in active concert or participation with them."

Named in Injunction

Those named in the injunction in addition to Kasper:

The Rev. Fred Stroud, pastor of the Bible Presbyterian church, 302 Monroe st.; John F. McCurrio (Mercurio), a self-employed evangelist believed to be from Albuquerque, N. M. who has preached at Kasper rallies; Wilson Lee Brown, a Nashvillian arrested Monday night in a disturbance at Fehr school; James Jarrell; Emmett A. Carr, Davidson county sheetmetal worker, Grand Titan of the U. S. Knights of the Ku Klux Klan of Middle Tennessee; Vincent (Vinson) Albert Crimmons, Whites Creek, one of six men held by police for questioning in the dynamiting of Hattie Cotton school; Mrs. Margaret L. Conquest, Davidson county

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Re: INTEGRATION IN PUBLIC SCHOOLS, NASHVILLE, TENN. CIVIL RIGHTS

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housewife who was a leader in disturbances in front of Glenn school on Aug. 27 and last Monday; J. A. Stinson, Nashville wholesale jeweler and his wife, Mrs. Mary B. Stinson, both leaders of demonstrations in front of Jones school on Monday; James Harris of 1519 Lock road, one of the six men being investigated for the Hattie Cotton dynamiting; and Paul McConnell.

U. S. Attorney Joins

U. S. District Attorney Fred Elledge filed a friend of the court brief on behalf of the federal government at the request of Judge Miller.

Kasper and the 11 other segregationists were identified by affidavit, photographs and other exhibits filed with the court.

The petition of the city and school board cited among the reasons for its plea:

- Picket lines and other unlawful activities at the school to block desegregation.

- Instances of physical violence and meetings in which "agitators, including the defendants named in the petition undertook to arouse their listeners to defy the judgment" of the federal court.

- The dynamiting of Hattie Cotton school.

- The fact that the defendants repeatedly stated that the federal court has no authority to abolish compulsory segregation in the Nashville public schools.

'Terror' Charged

The petition also declared that the methods used by Kasper and the 11 other segregationists were "terrorizing tactics" and that parents were keeping their children from school largely through actual fear of bodily harm and violence as a result of these tactics.

Mayor Ben West, who sat in the court room with Assistant Superintendent of Schools W. H. Oliver, later told the school board that the restraining order will greatly strengthen the police department's effort to keep peace at the schools.

"The Nashville police department's enforcement of the law with reference to violations of city ordinances and state statutes will not lessen one bit.

"The children of this city are entitled to get an education without being molested.

"The teachers of our schools are entitled to be able to go about their business of teaching without interference and without being molested.

"And the fathers and mothers of this city are entitled to know that their children can go to and come from school without being molested or intimidated.

"Our police have been enforcing city ordinances and state statutes. But some people were doing things that were not in violation of these ordinances and statutes but if permitted to continue, could destroy the educational programs of the schools.

"With this fact in mind, the City of Nashville joined the school board and petitioned Judge Miller for the injunction."

Copies To Be Distributed

West said that copies of the restraining order will be given to each police officer assigned to the schools "and in case any crowd gathers in front or near the schools, the officer will read this order to them so they will know that they are covered by its provisions."

Superintendent of Schools W. A. Bass asked West if assurance could be given parents that their children would not be intimidated or molested on their way to and from school. He said he received a "seige of calls" in the past two days from parents of school children on this question.

West told the superintendent that the restraining order applied to this question and "that if anyone tries to entice a child not to go to school regardless of where they are, the person is in violation of the order."

"It is with compassion for our native land and love for our daughter, Dorothy, that we withdraw her as a student at Harding high school," the minister said.

"As long as we felt that she could be protected from bodily injury and insults within the school walls and upon the school premises, we were willing to grant her desire to study at Harding.

"Contrary to this optimistic view, her experiences at school on Wednesday disillusioned our faith and left us no alternative."

Wednesday, white boys hurled an eraser and then a sharp pointed piece of tin at Dorothy's back. One group smashed in the rear window of the Counts family car as Herman Counts waited for his younger sister to come out of Harding at lunchtime.

The two-hour school board meeting was attended by the mayor, a couple of out-of-state newsmen, here still probing into the Nashville school story, a representative of the Committee on Racial Equality, and two members of the segregationist Parents School Preference committee.

The board members discussed the Hattie Cotton school situation briefly and then, with the school bombing and the federal restraining order behind them, settled down to such routine board business as accepting resigna-

tions, electing, assigning and transferring teachers.

A. B. Gibson, chairman of the board's special three-man committee appointed to investigate the Hattie Cotton bombing, said three general contractors had been requested to make detailed estimates on the cost of repairing and rebuilding the school.

The committee, he said, recommended to the board that the engineering and architectural firm of Marr & Holman be retained for engineering services to supervise the rehabilitation of the school.

The board accepted the committee's recommendation.

Letter of Appreciation

The board also passed a motion that a letter of appreciation for support and co-operation given the board in the school troubles be sent to the city police and fire departments, Mayor West and Nashville newspapers, radio and television stations.

Karl (Jack) Kershaw, vice chairman of the Tennessee Federation for Constitutional Government, requested in the name of the Parents School Preference committee that the board seek a suspension of the federal court desegregation order and stay of the injunction until such time as Judge Miller can consider the parents preference committee's voluntary integration plan.

Kershaw told the board that such action "would withdraw the cause of violence in the schools which, for good or evil, is the Negro children."

Kershaw gave each board member a copy of the brief filed by the preference committee in the recent federal court action which resulted in the state's school preference law being declared unconstitutional.

11 Negroes Attend

With the shift of emphasis in the school situation to legal action, the schools remained quiet. Eleven Negro children attended class in five schools without incident.

One sign of the lessened tension about the schools was the fact that detectives and patrolmen were removed from duty at the schools and replaced by traffic officers.

The wooden barricades blocking off streets bounding the schools, however, remained.

Police and school officials, however, are taking no chances, and on request of Police Chief Douglas E. Hosse, school festivals, picnics and the like, scheduled for this week, have been postponed.

Detectives continued their investigation of the Hattie Cotton dynamiting and, according to headquarters sources, were looking for an "early break" in the case.

Threats to Lives Told by Principals

Woman Screamed 'I'll Kill You,' Affidavit on Disturbance Relates

Nashville city school principals told of receiving threats against their lives during the school integration disturbance, in affidavits filed yesterday in federal court.

Jack Stanfill, principal of Caldwell school, told of a woman entering the school and screaming a threat that "I'll kill you if you don't take your hand off her."

The woman had brought her daughter into the school auditorium. The girl was wearing a placard saying, "Keep Our White Schools White."

The child ran screaming through the auditorium marking up school tables as she went, said the principal. The principal finally took the child by the arm and led her to the front door when she refused to leave quietly.

This was one of the statements contained in 18 affidavits filed with the federal district court in the

● Full text of opinion on page 14.

injunction appeal yesterday from city school officials and Nashville police officers and detectives.

Miss Margaret Cate, principal of the dynamited Hattie R. Cotton school, related that when at the close of the first day of school no one came to take the single Negro child enrolled there home, she drove the girl home in her car. Two men standing beside a car protested when she drove off.

Miss Cate said she received an anonymous telephone call that night protesting her taking the child home.

But the next morning came another anonymous phone call, said Miss Cate, "from a woman who expressed in rather vehement language her conviction that now I would not be carrying the Negro child home. In view of the fact that the school had been dynamited several hours previously, her words were quite pertinent."

Parents Feared for Children

Here are some extracts from the other affidavits:

Miss Kathryn Millspaugh, principal, Jones school: "I have received numerous telephone calls from parents of children enrolled but who were absent. Without exception the parents said that they wanted me to understand that they are keeping their children away from school because they fear for the personal safety of them, and in many instances say they themselves have received threats of personal violence if they send their children to my school."

Leonard E. Gamble, principal, Buena Vista school, said that the Rev. Fred Stroud in a speech in front of the school was saying to the parents, "For God's sake do not let your children go into that

school." She said John Kasper also spoke.

Miss Mary Brent, principal, Glenn school, said that on the morning of Sept. 9, "I noticed a well-dressed man taking the license numbers of cars parked around the school. I later learned that by this method he was able to get the names of the parents and caused a great deal of panic by calling the parents and telling them that the school was about to be blown up."

Ordered Out by Police

She said Mrs. Margaret Holt Conquest was one of the leading demonstrators at Glenn school. She said Mrs. Conquest demanded that she "be told where the Negro children were in the building." The principal said she sought police protection and that Mrs. Conquest left after being ordered out by police.

Miss Stella Mae Grooms, principal Fehr school, said Stroud spoke at a mass meeting on the school grounds Sept. 9 and that people in the neighborhood "were aroused to great emotional excitement." She said Ku Klux Klan members wearing white robes and red robes were present.

She referred to the crowd as "almost an uncontrollable mob." And said when she left the building there were shouts of abusive language, taunts, and epithets directed at me, and one woman in particular said 'I'll get you yet.'"

W. H. Oliver, assistant city school superintendent, said, "During July and August an effort was made to inflame and excite parents, which efforts were largely led by outside agitators, centering in Frederick John Kasper, who claimed to represent Tennessee White Citizens council, Davidson county division, and by the Ku Klux Klan through various of its representatives, both local and imported."

Re: INTEGRATION IN PUBLIC
SCHOOLS, NASHVILLE, TENN.
CIVIL RIGHTS

1CC: AAG CRIMINAL DIVISION
FORM 6-95 C 9/23/57

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4 Racial Situation - explosion at Hattie Cotton School - Nashville, Tenn.

Kasper: 'Certain People' — Talked School Dynamiting

By WILLIAM KEEL

Segregationist John Kasper said publicly at a rally in front of the courthouse Aug. 23 that he had discussed with "certain people" the dynamiting of public schools, it was disclosed yesterday.

He added that he, of course, didn't want that but that it might happen.

City Detective John W. Nolan said in a sworn statement filed in federal court yesterday:

"He (Kasper) said that he was approached by certain people who wanted to dynamite the public schools but that he was against it and said he did not want any violence, such as bombing, shooting, or bloodshed. But that it might get to that point."

Await Grand Jury

Nolan is expected to testify at Kasper's criminal court trial on a charge of inciting to riot if the grand jury returns an expected presentment today. The Nolan statement as an affidavit was attached to a city suit seeking a federal court injunction against activities of Kasper and others.

The current grand jury is also investigating a possible link between Kasper and the explosion that shattered Hattie Cotton school at 12:30 a.m. last Tuesday.

"Blood will run in the streets of Nashville before Negro children go

to school with white," shouted Kasper at a rally in front of the Capitol building last Monday, Constable Floyd Peek reported.

Kasper's pattern of operations is dotted with speeches referring to bloodshed. Wire services disseminated his statements in other cities, referring to shotguns and other media of violence.

And in Nashville he has referred several times to the possibility of dynamiting a school.

Report in Times

Benjamin Fine, education reporter for The New York Times reported in The Times Aug. 23 that Kasper in a speech before the courthouse in Nashville predicted violence between Negroes and whites.

"Nashville is going to make Clinton look like a kindergarten," The Times story quoted Kasper. "If Negroes are admitted to white schools it will be rough and hot here."

The story went on to quote Kasper as predicting "plenty of rou-

(Continued on Page 4, Column 2)

(Continued From Page One)

ble" and declared, "No one can suppress the people."

W. H. Oliver, assistant schools superintendent, said in his affidavit that during July and August "an effort was made to inflame and excite parents, which efforts were largely led by outside agitators, centering in John Kasper ... and by KKK."

The affidavit said a series of inflammatory meetings, handbills and other influences were "obviously intended to defy (the court order) by unlawful means, including violence."

That, he said, culminated in a direct assault upon the public schools Monday, Sept. 9.

On Aug. 25 Kasper said this at the courthouse:

"White men have come up to me and said their kids will not go to integrated schools. I don't know what they mean. I don't know if they mean they will blow up the school. I don't know if they mean they will load up their shotguns.

"But I do know their children are not going to an integrated school."

That was the day before school registration.

'Better Load Them'

On the night of registration, he said this at the courthouse:

"Your grand-daddies knew what to do when there was trouble. They just loaded up squirrel guns. I don't suppose you still have squirrel guns around. But if you do, you had better load them up."

At the various integrated schools, he appeared on the spot to urge parents to boycott the schools and "run the niggers out."

The daily speeches, the incitement at the schools, and the resulting violence will be welded into a pattern in the grand jury presentment, reliable sources said.

A close-confidante and co-speaker has been the Rev. Fred Stroud, Bible Presbyterian minister.

A handbill sponsored by Tennes-

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see White Citizens council Box 913, Nashville, urged the readers to:

"HEAR: BROTHER FRED STROUD

"TEL. HOW: The commies have taken over the churches in Nashville and how the Nashville association of Churches is poisoning the people of Nashville against Bible teaching which prohibits intermingling of the races...

"FIND OUT what we're going to do about the niggers in white schools."

A recent circular signed by John Kasper, executive secretary, Davidson county division, of Tennessee White Citizens councils, was topped with these headlines:

"LAST DAYS OF PEACE

"Between White and Nigra (sic) Races

"RACE RIOTS FEARED!

"White Citizens Said to Be Arming."

The circular harps on violence in a technique that involves the oblique approach — imputing to other persons the responsibility for violence if it develops.

"THE PLOTTERS WANT VIOLENCE!" it reads, "Frank Clement, Ben West and the Nashville school board aim to promote race riots, murder, dynamitings, hangings and race-hatred with their insane plan to force Nigras and Whites 1st Grade children to mix in public schools this fall.

It concluded:

"We have an opportunity to clean the table of all the dirty dishes. LET'S GO, WHITE MAN. Straighten your backbone, when they put the niggers in school with your kids in September, load your shotguns to defend your wife and home—be prepared for the worst race riots, hangings, anything."

City Patrolman William Eller has said in a sworn statement that at the meeting last Monday night before War Memorial building, Kasper advised the people to picket Fehr, Caldwell, Glenn, Hattie Cotton, Buena Vista schools and told the people not to worry about being arrested, that "they would get them

How They Go

City school officials reported the following attendance at five integrated schools yesterday, as compared with Wednesday:

Total—enrollment 2238, attendance Wednesday 827, attendance yesterday 1000.

Glenn—enrollment 389, attendance Wednesday 192, attendance yesterday 285.

Fehr—enrollment 340, attendance Wednesday 20, attendance yesterday 32.

Jones—enrollment 430, attendance Wednesday 75, attendance yesterday 110.

Buena Vista—enrollment 370, attendance Wednesday 38, attendance yesterday 73.

Clemons—enrollment 509, attendance Wednesday 502, attendance yesterday 500.

out of jail just as fast as they were put in."

That was the same night that someone in the crowd tossed a rope up in the balcony of the Capitol building.

Held Rope

Peek said Kasper held the rope over his head, forming part of it in a noose and remarked that it would "fit" the neck of City Councilman Z. Alexander Looby, a Negro.

Peek arrested Kasper later, charging him with inciting to riot.

And at that same meeting, Kasper made this statement:

"Let's start hating the nigger until we get him out of the schools. We want him to be a dead nigger or back in Africa."

This, he continued "is Dixie, home of the purest blood and most bloodthirsty people in the world. Let's for one time show what a white man can do."

A hat was passed around for funds.

"You might need it for the shotguns," Kasper cracked.

Interference with integration on the scene by Kasper and Stroud was pictured yesterday in other federal court affidavits.

Principal's Complaint

Leonard E. Gamble, principal of Buena Vista school, said that on Sept. 9 half of the students were detained by parents who were

listening to the Rev. Stroud. Gamble said Stroud was saying to parents, "For God's sake, do not let your children go into that school."

Later, Gamble said, Kasper arrived. Gamble said he couldn't hear Kasper's words but "learned he was agitating the crowd and advising them to boycott the school, if necessary to revert to acts of violence to keep Negro children from entering the school as students."

Kasper spoke 20 minutes at the scene that morning, Gamble said.

Mrs. Stella Mae Groomes, Fehr school principal, said that Kasper appeared there and "seemed to stir the crowd into a frenzy. "After he left it was almost an unbelievable mob."

The principal said that when she left the building, there were "many shouts, abusive language, taunts, and epithets, directed at me."

She also told of a Negro janitor's car being burned, ignited from oil poured over it.

Urges Boycott

Patterson in another affidavit said that on Sept. 9 at Caldwell school Kasper urged parents to boycott, and if they had children in the school to go in and bring them out.

"We want to keep our schools white," Patterson quoted him as saying. "Fight, fight, and keep our schools white."

James B. Bridgers, city detective, in another affidavit said that on Aug. 24 at the courthouse Kasper said, "Now we don't want any violence but there can be bombings, dynamite and shooting if they push the Negroes on us, and probably killings... We are not going to have those Negroes in our schools regardless."

'Can't Be Blamed'

Another reference to dynamiting was reported by Patrolman L. T. Dickens. He said Kasper said at Buena Vista school that the people had talked about dynamiting the schools but "we don't want to have anything to do with them; we want to do this in a peaceful way and we can't be blamed for what they do."

Kasper's speeches as reported by wire services in other cities and states reflect continued references

to blood, shotguns and dedication to rabble rousing.

United Press on Dec. 7, 1956, quoted Kasper as saying in Washington, D. C., that he and other segregationists will "spill blood" before they accept a "creeping federal dictatorship."

"We (segregationists)... will spill our blood... before we will ever accept or bow to a creeping federal dictatorship..."

Then on March 8, 1957, in Miami, Fla.—according to Associated Press—he vowed segregationists would "maintain racial integrity even at the point of a shotgun."

Birmingham Meeting

In Birmingham, Ala., on Sept. 13, 1956, according to United Press, Kasper welcomed a group of Ku Klux Klansmen to a rally with the words, "We need all the rabble-rousers we can get."

"We want trouble and we want it everywhere we can get it," he said, as UP reported it.

He said he believed that "a collapse of law and order is at hand. "Our legal fight is finished."

Then, United Press said, he went on to declare the white councils aim of "seizing local control of local affairs—and I mean seizing it." He added:

"We will have to have our martyr and some will have to die before this is over" because "the federal government means death to all of us."

One of the first citizens council circulars distributed here and signed by Kasper contained this statement:

"... No moans and groans when violence breaks out in September and some people get hurt simply because you were too lazy to come (to the school board meeting)..."

"Woe to those who conquer with armies and whose only right is their power. They will lie in unmarked graves and the wild grass will grow over their dead bodies."

August Circular

And a circular advertising an Aug. 21 meeting declared:

"These last days of peace between the White and Nigra races should be spent in organizing and attending all meetings. When not practicing with your shotgun, bring your entire family..."

Speakers were listed as Ace (Asa) Carter, Alabama segregationist, Bill Hendrix, Klan leader from Florida; the Reverend Stroud and Kasper.

Agitator Undaunted By Two Contempt Convictions

By BILL RAWLINS
(Associated Press Writer)

John Kasper, arrested for fomenting school desegregation trouble here just as he was at Clinton a year ago, appears undaunted by two Federal contempt convictions—both for stirring up previous racial strife.

His tactics are the same—only the names have been changed to fit the situation. He greeted a front-page editorial in THE NASHVILLE BANNER urging that he be run out of town with a characteristic, "yellow journalism." He refused any further comment on anything.

He still preaches disregard of constituted authority, hate for "Nigras" (never Negroes), hate for Jews (never capitalized in his inflammatory handbills), and contempt for newspapers in general.

And despite his contention that he advocates what he calls "peaceful" resistance to racial integration, a recent handbill distributed by the Tennessee White Citizens council—whose office is Kasper's hip pocket—declares:

"When they put the Niggers in school with your kids in September, load your shotgun to defend your wife and home—be prepared for the worst race riots, hangings, anything."

In justice to him, however, it should be noted that he has never been at the actual scene when the violence started. He may have agitated those who became violent—at least, he's always been around to see that the accused made bond—but he has been on the other side of town, out of state, or just out of pocket during the actual violence.

During the big weekend of violence which followed admission of 12 Negroes to Clinton High School, 200 miles east of here, last Fall, Kasper was in jail at Knoxville.

U. S. Dist. Judge Robert L. Taylor sentenced him to a year in prison for fomenting that violence, anyhow, on grounds Kasper had violated his permanent injunction against interfering with Clinton High desegregation. Taylor had ordered Clinton High to desegregate,

just as Federal Dist. Judge William E. Miller has ordered Nashville first grades to be desegregated.

Kasper, 27-year-old Columbia University graduate, again was convicted of violating Taylor's injunction last July, when an

(Continued on Page 2, Column 3)

THE NASHVILLE
BANNER
DATE 9-11-57
By BILL RAWLINS
RACIAL SITUATION,
EXPLOSION,
HATTIE R. COTTON
SCHOOL, NASHVILLE,
TENNESSEE
(100-3595)

*file-6-ymw
44-12298*

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141 SEP 25 1957

1CC: AAG CRIMINAL DIVISION
FORM 6-95 *C 9/24/57 ymaw/p*

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all-white jury in Knoxville found him and six Clinton residents guilty of stirring up trouble which arose in November and December. He has appealed the year's sentence to the U. S. Supreme Court, whom he has renounced as Communistic for banning school segregation in May, 1954.

He and the other six are awaiting sentence in the July convictions.

The Tennessee career of the New Jersey-born "rabble rouser"—his own term for himself—began Aug. 25, 1956, two days before Clinton High School was to begin its first year of desegregated operation.

It was on that day, a Saturday, that Kasper arrived in Clinton, and started on a house-to-house, door-knocking campaign to arouse sentiment against the desegregation order. He never before had been in Tennessee prior to his arrival. Clinton—which has an insignificant proportion of Negroes among its 4,000 population—had appeared to be taking the impending race mixing in stride.

He testified later that he slept that first night in his car, which he drove here from Washington, D. C., where he ran a book store and consorted with Ezra Pound, racist poet who is confined to a Federal mental institution.

First Harangue

The second night, however, he had found a home with a rural family in Clinton, and the third night—a Monday—he held fourth on the Anderson County Courthouse square in Clinton with his first anti-integration harangue.

A state charge of inciting to riot was dismissed for lack of evidence. That only made him more confident, and the next night his audience was even larger, his anti-integration speech even bolder. On Wednesday, U. S. marshals served a temporary order to restrain him from interfering with peaceful integration of Clinton High.

He was tried before Taylor on Friday and adjudged in criminal contempt of court. That was when he was sentenced to a year in prison.

Thus, he was in jail in Knoxville when rioting broke out that Friday night on the Clinton town square. Subsequently, he was tried in a State court at Clinton on charges of sedition and inciting the riots. But largely on the strength of his lawyer's argument that he could not be responsible when he was not there, he was acquitted.

Meanwhile, Judge Taylor made his injunction permanent and Kasper was rearrested in February on grounds he conspired with the other six—arrested in December—in renewed violence which temporarily closed Clinton High last Dec. 4—at a time when Kasper was out of town. The payoff came at the July trial in Knoxville, when Kasper again was convicted, along with the others, of criminal contempt. Free on bond while awaiting the outcome of a motion for a new trial, Kasper came to Nashville in August. He attracted, with his now-familiar anti-integration speeches, crowds which at first did not number more than 50 persons. On one occasion, at least, a Negro rhythm band a few blocks away outdrew him.

But, as the hour drew nearer for desegregation to begin here, his crowds increased, and after 15 Negroes registered for desegregated first grade classes on Aug. 27, as many as 150 showed up. He seemed to hold them—as he had his followers in Clinton—spellbound.

While he was in Nashville, significantly, Clinton High began its second year of desegregated operation quietly. Eight Negroes enrolled without incident or outward protest.

Nashville now was his headquarters. And, characteristically, Nashville was the scene of his latest arrests.

4/

Racial Situation - Explosion at Hattie
R. Cotton School - Nashville, Tenn.

**Revocation Of Kasper
Bond Here Eyed**

US Dist. Atty. John C. Crawford Jr., said he received evidence from Nashville authorities yesterday pertaining to possible revocation of John Kasper's bond in the two Clinton convictions here.

Late yesterday Crawford said he had made no recommendations as yet to Judge Robert L. Taylor concerning suspension of the bond.

Fred Elledge Jr., US district attorney, at Nashville said Saturday he was sending Crawford affidavits from Nashville school and police authorities concerning Kasper's anti-integration activities there last week.

The agitator was twice convicted here on charges of interfering with Clinton High School desegregation last year. He is free on bonds pending appeal of the convictions.

*File - 6 - Jones
44 - 12298*

KNOXVILLE
JOURNAL

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ALONZO BULLOCK
ET AL

CR - CONTEMPT
OF COURT

BU FILE # 44-11173

ICC: AAG CRIMINAL DIVISION
FORM 6-95 *29/24/57 Jones/pos*

44-12298
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141 SEP 25 1957

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'The Best Lead Yet'**Kasper Balks at Quiz
On School Dynamiting**

NASHVILLE, Tenn., Sept. 14 (AP).—Segregationist John Kasper refused to answer police questions today about the dynamiting of an integrated school because his attorney was not present.

Police Chief Douglas Hosse said officers sought to question Kasper at the county jail today about "the best lead yet" in the dynamiting of Hattie Cotton School.

Closer to Solution

The lead was furnished by Charles Reed, identified as an associate of Kasper. Reed told officers he and Kasper hid some dynamite in "an old house" last week.

Chief Hosse said the information furnished by Reed brought police "closer" to a solution of the dynamiting.

The school was one of seven in which first-grade integration started this week. One Negro entered Hattie Cotton Sept. 9 and that night the building was wrecked by a dynamite blast.

Eleven in School

Eleven Negroes was attending school with whites yesterday when the first week of integration ended.

Kasper was held in county jail on a inciting to riot charge with bond set at \$2,500. City police indicated they would arrest him if he made bond on the state charge.

Chief Hosse said a team of officers went to the county jail and that Lt. Rex White told Kasper "that he had information that Mr. Kasper had carried dynamite to an old house."

Refused to Answer

Chief Hosse said Kasper did not say whether the statement was true or false, but said he did not want to answer questions without the presence of his attorney.

Reed had told officers that Kasper brought three sticks of dynamite to his house and that they then took it out and hid it.

The dynamite was gone when Reed and F. B. I. men went to the house yesterday. Reed said

he had "no idea" who had taken it.

Reed was still being questioned today and Chief Hosse said he didn't believe Reed was "telling all he knows." Reed was turned over to police here by the F. B. I. yesterday.

Early today a man identified as James Thomas Terry called the sheriff and said "I am the man who blew up the school."

Deputies said Terry would be charged with public drunken-

ness and they said he later denied any knowledge of the dynamiting.

School officials said they thought integration was "over the hump" and that attendance would pick up next week. Monday is a school holiday.

A Federal Court restraining order has been issued to prevent interference with integration. It specifically names Kasper and eleven others.

Federal Judge William E. Miller will hold a hearing Monday on the question of issuing a temporary injunction.

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Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

BAUMGARDNER

44-12298
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141 SEP 25 1957

Wash. Post and Times Herald _____
Wash. News _____
Wash. Star _____
N. Y. Herald Tribune _____
N. Y. Journal-American _____
N. Y. Mirror _____
N. Y. Daily News _____
N. Y. Times _____
Daily Worker _____
The Worker _____
New Leader _____

SEP 15 1957

Date _____

1CC: AAG CRIMINAL DIVISION
FORM 6-95 C 9/24/57

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Racial Situation - Explosion at Hattie R.
Cotton School - Nashville, Tennessee

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—Staff Photo by John Malone
John Kasper stops at Police Headquarters shortly before his arrest to inquire about the procedure in making bonds for segregationists arrested in today's outbreaks of violence. Police refused to allow him to interview the prisoners. Kasper left the station shortly afterwards, returned later to City Court and was taken into custody.

THE NASHVILLE BANNER
NASHVILLE, TENNESSEE
9-10-57 p 1
RACIAL SITUATION, EXPLOSION
HATTIE R. COTTEN SCHOOL
NASHVILLE, TENNESSEE

ME 100-3595

RACIAL SITUATION EXPLOSION AT
HATTIE R. COTTEN SCHOOL
NASHVILLE, TENN

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Councilist Faces Four City Charges

New Jersey racist John Kasper was taken into custody in City Court today by Nashville police on orders of Chief D. E. Hosse.

The arrest followed by less than three hours a statement by Mayor Ben West that "the lawless element must go."

The tall, lanky segregationist, who has been in Nashville speaking to rowdy groups for several weeks, was led from the crowded courtroom down two flights of stairs to the police lockup.

Flanked By Chiefs

He was flanked on the uneventful march to jail by Chief Hosse and Asst. Chief F. M. Muller.

A double line of officers followed close on their heels in obvious anticipation of an outbreak among the Kasper followers who crowded the courtroom.

Kasper was left in the booking office while Hosse and Muller conferred with a City attorney in the Chief's office.

Kasper had put in at least two appearances at police headquarters today.

Immediately after the conference the police chiefs

said Kasper would be charged with disorderly conduct, offensive conduct, vagrancy, and loitering about the streets.

It is estimated that his bond would run between \$250 to \$500—at least.

'Body-Guard' Arrested

G. H. Aikens, of Howerton St., already arrested previously today and described by police as Kasper's "body-guard" also was charged with vagrancy and loitering.

Chief Muller said Aikens attempted to interfere with officers after they left the courtroom with Kasper and was placed under arrest.

Kasper had visited the City police station on at least two separate occasions today before Chief Hosse ordered his arrest.

Immediately after the parley in Hosse's office, Hosse, Muller and Asst. City Atty. Bob Jennings hurried to City Judge An-

drew Doyle's courtroom where they planned to ask for warrants in each of the four cases.

The officers said they had no comment to make at this time.

Although the courtroom contained a large number of Kasper followers present to witness the trials of persons arrested in connection with school agitation, they made no demonstration as Kasper was led from the courtroom.

Based On Speeches

Police did say, however, that disorderly and offensive conduct charge grew out of a series of speeches Kasper has made here recently as the racial tensions mounted.

It was reported that several persons were closeted with City Atty. Raymond Leathers this afternoon, giving him details concerning certain statements Kasper made during these speeches.

Officers believe these statements helped arouse segregationists to a fever pitch.

"The lawless element must go," said Mayor Ben West when he arrived at the airport at noon today.

The City's Chief Executive rushed home from Hartford, Conn., where he had been on municipal business, to take personal charge of the investigation of the Hattie Cotton School dynamiting and other disorders. He arrived at Berry Field this morning.

West mentioned no names when he said "the lawless must go," but added: "Law and order must prevail or no one's life will be safe. Those responsible for the school blast must be caught and put to trial."

"Every decent citizen," he declared, "abhors violence. Every decent citizen wants peace and good order. The one who encourages fanaticism endangers life. Someone with a deranged mind bombed a public school. We taxpayers will have to replace this property out of our own pockets."

"Who can tell when this fool in his depraved mind will decide to blow up a school in the daytime with your child or mine in it?"

The Mayor said he was standing firmly behind his Police Chief, Douglas Hosse, who earlier had issued an ultimatum that "those who do not intend to obey the law had better get out of town."

Asked about the racist rabble rouser, John Kasper, the KKK and other inciting elements, the chief said bluntly: "We are running this town. They are not. We are going to have law and order."

All members of the police department have been given special instructions concerning City ordinances regarding disorderly conduct, loitering, congregating on school property and failure to "move on" in a restricted area when ordered by police to do so.

Hosse said printed copies of these City ordinances had been distributed to all patrolmen on duty and "they have been instructed to make immediate arrests for any violation of any of these ordinances."

*Racial Situation - Explosion -
Hattie P. Cotton School
Nashville, Tenn.*

4 Classrooms Are Wrecked, Wall Levelled

Explosion Follows Admission of Negro First-Grade Pupil

NASHVILLE, Tenn., Sept. 10 (AP).—A massive, early-morning dynamite blast ripped apart one of Nashville's six newly desegregated schools today.

The blast blew out the entire east wall of one wing and completely wrecked four classrooms in the Hattie Cotton School, where a single Negro first grader was admitted quietly yesterday.

No Negroes had been expected to enroll in the predominantly white East Nashville school district and it was the only one of the six racially mixed schools that escaped without segregationist demonstrations.

The schools admitted a total of 15 Negro first graders in their first step toward court-ordered desegregation. There are 3,500 first graders, including 2,000 whites, among the city's 18,000 school pupils.

Negroes' Cars Attacked

The dynamite blast came only a few hours after police had dispersed a crowd of about 500 segregationists who were smashing windshields and windows of Negroes' automobiles with bricks and bottles as they passed Fehr School.

Fehr, which is in a borderline Negro-white residential district, was the focal point of much of yesterday's disorder. Three persons were arrested in the day and night disturbances, including one woman who was arrested twice.

~~No injuries have been reported so far.~~

The Hattie Cotton explosion shattered windows in neighboring houses, knocked out power service in some areas and woke sleeping families miles from the scene.

City Police Sergt. John Irwin said he found a detonating cap wire at the scene. He said the dynamite apparently was exploded in the schools' entrance hall between the library and a classroom.

The concussion ripped through the building, tearing down walls and blasting every window from the one-story structure.

Official Hits Agitators

Assistant Supt. W. H. Oliver had this comment immediately on learning of the blast:

"This is no longer a matter of segregation or desegregation. This is a matter of sheer lawlessness. We're up against thugs. This is the result of a flame that has been fanned in Nashville by some local agitators and some outside agitators."

"I hope this will at last waken the law abiding citizens of this community to the problem we're up against."

Mr. Oliver said this morning a decision would be reached during the day on where classes would be held for Hattie Cotton pupils.

He added that so far as he could say, the blast would not affect the school board's desegregation plan or operation of the schools on a desegregated basis.

Although numerous dynamite explosions have accompanied desegregation disorders in various other Southern cities, it is believed that no schools had previously been damaged by them.

Nashville is the largest city

Continued on Page A-5, Col. 1

Continued From First Page

south of Louisville, Ky., to mix the races and the second State-supported secondary school system in Tennessee to begin desegregation.

The city has had its golf courses desegregated by court order. In addition, the Catholic parochial school system has been desegregated and a few Negroes have been admitted to Vanderbilt University and smaller white colleges, but the general pattern of the city retains segregation barriers.

Although surly crowds picketed five of the affected schools yesterday, 115 city policemen patrolled them and intervened whenever violence threatened, averting major violence.

When the Negroes were admitted many white parents removed their children from the schools. School Supt. W. A. Bass reported last night that attendance was off 30 per cent at the five schools.

Fehr's attendance was down 50 per cent. It was there that all four arrests took place.

Only First Grade Affected

Nashville's court-approved plan of desegregation called for desegregation only of the first grade this year. The school board was ordered to submit further plans by December 31.

Under the new first grade zoning, a total of 126 Negroes were eligible to enter previously all-white schools, but most of them took advantage of voluntary transfer privileges.

Only 13 showed up to register for classes two weeks ago. Nineteen turned up for the first day of classes yesterday, but four were not enrolled because of technicalities.

John Kasper, the segregation agitator from Washington, D. C., who was blamed for much violence which greeted desegregation at Clinton, Tenn., 200 miles to the east of here last fall, toured the schools yesterday. Clinton has been quiet this year.

He also conducted a segregation rally from the State Capitol steps last night about the same time that the other crowd was gathering at Fehr School. Kasper drew a crowd of about 500.

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Gandy _____

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141 OCT 14 1957

Wash. Post and Times Herald _____
Wash. News _____
Wash. Star _____
N. Y. Herald Tribune _____
N. Y. Journal-American _____
N. Y. Mirror _____
N. Y. Daily News _____
N. Y. Times _____
Daily Worker _____
The Worker _____
New Leader _____

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Janitor's Tires Slashed

Violence continued immediately after school at Fehr with slashing of two tires on the automobile of the school's Negro janitor, Richard Hancock, 42, plus an attempt to set the interior afire.

Mr. Hancock said he started to walk home on discovering the flat tire.

"I looked back and saw about a dozen white men following me. They started throwing things at me and I ran."

He went into a nearby house and called police, who took him home.

About nightfall a sullen crowd began to gather at the school, apparently spontaneously, with a high percentage of teen-agers.

Soon afterward bottle and brick throwing began from the shadows along the street and a lookout system was organized for spotting Negroes' cars a block ahead.

When they came abreast the

school bricks, rocks and bottles rained on them. One car was halted and rocked from side to side by a gang before being allowed to proceed.

Shortly afterward 25 policemen moved into the crowd and began to disperse it while other officers set up road blocks at all nearby intersections.

Two Persons Arrested

Two persons were arrested, including Mrs. Mary Helen Green, 33, who had previously been arrested during the day-time disturbances. The crowd rapidly dwindled to a few stragglers.

While all this was going on, things had been quiet at the modern Hattie Cotton school plant, built in 1950 at a cost of a third of a million dollars.

Amateur Photographer John Smith, who was on his way home from work at a local industrial plant when he heard the first police report on the dynamite blast, was one of the first persons on the scene.

"The building was demolished," he said. "The corner was blown out. The dynamiting looked like a professional job. It was set so the concussion would have full effect along all corridors.

"As far as 150 feet away the concussion ripped doors completely off their hinges and blew them through the opposite wall."

Mr. Oliver said the value of the building, including equipment, was near half a million dollars. No official damage estimate was available immediately.



PICKETS ON PARADE—The Stars and Stripes were in harmony yesterday in Nashville, Tenn.—at least as far as these three persons were concerned. They joined picket lines in front of Nashville's elementary schools. They were identified as (left to right) John Wilkerson, Mrs. Callie Thomas and Vincent Crimmon.—AP Wirephoto.



SCHOOL WRECKED—Onlookers stand in front of gaping hole torn in the Hattie Cotton Elementary School by a dynamite explosion early today

in Nashville, Tenn. The school is one of the city's six newly desegregated grammar schools.
—AP Wirephoto.

Racial Situation - Explosion at Hattie R. Cotton School - Nashville, Tenn.

INDEXED-98

File - 6-gmu
44-12298

Police List 20 Arrested

Here are the names and addresses of the 20 persons arrested yesterday in connection with disturbances over integration in Nashville.

The list does not include the names of five persons arrested in connection with the dynamiting of Hattie Cotton school. Their names are contained in a story elsewhere on this page.

John Kasper, 27, Camden, N. J., who listed his Nashville address as 2901 Scott ave., arrested on two charges of disorderly conduct, one charge of vagrancy and one charge of illegal parking.

Julia Mae Harris, 19, Negro, 305 Buchanan st., disorderly conduct.

Johnny Morgan, 357 Settle court, 26, disorderly conduct.

Billy Farris-McClanahan, 24, of 201 Truetland st., disorderly conduct.

James Herman Dickens, 18, of 1233 Gallatin pike, loitering on street.

John William Harmon, 32, 300 Settle court, disorderly conduct.

Robert E. Hall, 48, of 507 Lischy ave., disorderly conduct.

Edward O'Hare Glymp, 223 Berry st., 29, disorderly conduct.

G. M. Akins, 28, of 321 Howerton st., arrested twice, once for disorderly conduct, and once for vagrancy and loitering and resisting arrest.

Mary C. Morgan, 358 Settle court, disorderly conduct.

Dorothy Akins, 21, of 565 N. Third st., disorderly conduct and failing to move on.

Edward Willoughby Jackson, 41, Negro, of 1023 Villa place, minister, disorderly conduct, carrying a razor for the purpose of going armed, carrying a pistol for the purpose of going armed. (Police said pistol found hidden under porch).

John McKinley, Negro, 711 1/2 Sixth ave., N., disorderly conduct, carrying knife for the purpose of going armed.

Marvin Sullins, 54, of 209 Howerton st., disorderly conduct, carrying knife, carrying brass knucks for the purpose of going armed.

Virgil Ray Humphrey, Route 2, Antioch, 27, disorderly and offensive conduct.

James Lewis Humphrey, 39, 2418 Floyd ave., disorderly and offensive conduct.

John H. Humphrey, 66, Antioch, disorderly and offensive conduct.

Willie Robbins Meadors, 24, 904 Cherokee ave., disorderly conduct, carrying pistol.

Willie Edmond Halpin, 304 Taylor st., disorderly conduct.

Betty Jean Moore, 22, of 1701 Seventh ave., N., disorderly conduct.

Re: RACIAL SITUATION,
EXPLOSION, HATTIE
R. COTTON SCHOOL,
NASHVILLE, TENNESSEE

INDEXED-98

THE NASHVILLE TENNESSEAN
9-11-57 p. 1
100-3595

NOT RECORDED
141 SEP 23 1957

76 SEP 27 1957

76 SEP 25 1957

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Date 9-16-57

To

☒ Director

FILE #ME 44-516

Att.

Title INTEGRATION IN PUBLIC
SCHOOLS, NASHVILLE,
TENN.
CIVIL RIGHTS

☐ SAC

☐ ASAC

☐ Supv.

☐ Agent

☐ SE

☐ CC

☐ Steno

☐ Clerk

ACTION DESIRED

☐ Acknowledge

☐ Assign Reassign

☐ Bring file

☐ Call me

☐ Correct

☐ Deadline

☐ Deadline passed

☐ Delinquent

☐ Expedite

☐ File

☐ Initial & return

☐ Leads need attention

☐ Open Case

☐ Return with explanation or notation as to action taken.

☐ Prepare lead cards

☐ Prepare tickler

☐ Recharge serials

☐ Return assignment card

☐ Return file

☐ Return serials

☐ Search and return

☐ See me

☐ Send Serials

to

☐ Submit new charge-out

☐ Submit report by

☐ Type

Attached newspaper clippings relate to
above captioned case.

SAC J. M. LOPEZ

Office Memphis

☐ See reverse side

Kasper Friend Under Arrest

Taken Into Custody During Trip To Take Segregationist Toothbrush

John Mercurio was arrested by city police yesterday and charged with vagrancy, loitering, and two counts of disorderly conduct.

The 35-year-old Mercurio, a speaker at several segregationist rallies here since first grade integration began, was held in city jail last night in lieu of a total of \$200 bond. He is scheduled to appear in city court at 10 a.m. today before Judge Andrew J. Doyle.

Police Sgt. Morgan Smith and Patrolman J. West arrested Mercurio at 4:23 p.m. yesterday when he went to the courthouse to take Segregationist John Kasper a toothbrush. The officers said they arrested Mercurio on orders of police Chief Douglas Hosse.

The charges against him include:

- Disorderly conduct and inciting to riot on Sept. 6 on Capitol boulevard, and on Sept. 7 at Fehr school.

- Loitering on Capitol boulevard on Sept. 6.

- Vagrancy on Sept. 12. Mercurio's possessions at the time of his arrest included his horn-rimmed glasses and \$38.52.

Assistant Police Chief Frank W. Muller said police considered Mercurio "just as much as vagrant as Kasper, and Judge Andrew Doyle said Kasper was a vagrant of the lowest order."

Muller said the two disorderly conduct charges were for speeches Mercurio made Sept. 6 in front of the War Memorial building and Sept. 7 on the grounds of Fehr school, where Negro children have been admitted to the first grade and where several incidents of violence have been reported.

Called Kasper Associate

"He associated with Kasper and with others in that bunch," Muller said.

Muller said the loitering charge stemmed from Mercurio's presence in and around the police station and the courthouse on several occasions.

Mercurio, a native of Ohio, was listed on police records as an unemployed transient. He listed his local address as 1004 No. First st. The telephone at that address, ANDrew 3-5394, is listed to James A. Stinson, a jewelers supply wholesaler. He did not answer his phone last night.

Mercurio's most recent speech was made Wednesday night at a segregationist rally at Croley drive and Robertson road.

"They're trying to cram integration down the throat of the American people," he said at that time, "and it's being vomited up."

Mercurio also asked Wednesday night for contributions for the legal defense of John Kasper, whom he described as "that brave man."

Re: INTEGRATION IN PUBLIC
SCHOOLS, NASHVILLE, TENN.
CIVIL RIGHTS

THE NASHVILLE TENNESSEAN

9-13-57 p. 14

100-3595

100: AAG CRIMINAL DIVISION
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141 SEP 25 1957

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Racial Situation - Explosion at
Hattie K Cotton School - Nashville, Tenn

Man Offers Information

An unidentified white man was being questioned by City detectives this afternoon in connection with the Tuesday morning bombing of Hattie Cotton School in East Nashville.

Police Chief Douglas E. Hosse said the man appeared Thursday night at the Nashville FBI office and volunteered "some information about the bombing" that is now being checked out by detectives.

Investigators emphasized that the man has not yet been charged in connection with the explosion.

It was learned, however, that local police had been seeking the man since shortly after the investigation was launched into the early morning bombing.

Turned Over By FBI

FBI agents turned the man over to Nashville police early this afternoon.

He was taken to headquarters from the Federal Building under heavy guard and taken immediately to the second floor homicide bureau where he was closeted with the investigators for a lengthy questioning.

It was reported that the Nashville man, who appeared to be in his late 40s, has been identified as an associate of New Jersey-born racist John Kasper; and it also was reported that he would be questioned in an effort to determine if Kasper might have knowledge of the dynamiting.

Detective Lt. Rex White took personal charge of the questioning, but declined to comment on what progress, if any, is being made.

Chief Hosse said that White had made no report to him as yet and that he was unable to comment at this time.

A crowd of newspaper reporters swarmed around the homicide bureau and was told by Detective Chief Sidney Ritter that they were "hampering" the investigation.

Announcement of the FBI action came locally from Julius M. Lopez of the Memphis office, who is special agent in charge for Tennessee.

He made the statement in a call to THE BANNER from the FBI office in the U. S. Courthouse.

Announced in Capital
Simultaneously, Atty. Gen. Brownell announced in Washington the FBI handed evidence of

"possible significance" to Nashville police.

All major news services transmitted this story.

Obviously surprised at the FBI disclosure, Chief Hosse at first asked that the information be withheld from publication until police had the opportunity to investigate the new lead.

Issued Statement

When told that the FBI had announced the move locally and of General Brownell's disclosure in Washington, Hosse issued the following statement:

"Just a few minutes ago Mr. Lopez called me that they had someone at their office that they thought they should turn over to us for a complete investigation concerning the Hattie Cotton dynamiting.

"I have notified Chief Ritter of the Detective Department and he has assigned Lt. Rex White to go to the FBI office and bring this man back to Chief Ritter's office for a complete investigation."

In their probe of the blast, Nashville police had brought more than a dozen persons to headquarters for questioning.

No arrests have been made in direct connection with the blast.

Lopez' statement:

"In keeping with the desire of the Federal Bureau of Investigation to be of all possible assistance to local authorities regarding local violations, information is being turned over by the FBI to local authorities in Nashville, Tenn., of possible significance concerning dynamiting Sept. 10, of the Hattie R. Cotton school.

Lopez refused to amplify his statement, saying he did not have time at the moment.

Re: INTEGRATION IN
PUBLIC SCHOOLS,
NASHVILLE, TENN.
CIVIL RIGHTS

THE NASHVILLE BANNER
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Mercurio Gets \$200 Fine On City Charges

City Judge Andrew J. Doyle fined John Mercurio \$200 on four charges.

The judge said he would also issue a state's warrant for vagrancy against Mercurio, an associate of racist John Kasper.

Doyle levied the fines after blistering the self-styled evangelist with charges of using the Bible to "shield his own self from violent actions and conduct."

Mercurio was fined \$50 each on two disorderly charges and on counts of loitering and vagrancy.

"We have reached another milestone in this trouble," Doyle declared. "The head of the horse went into the workhouse yesterday and it looks like the tail is going to follow."

The judge said Mercurio is almost as smart as Kasper. The only difference, he added, is Kasper hides behind anything he can find, and Mercurio shields himself with the word of God.

Mercurio was not immediately able to pay the fine and after his trial was placed in the City Court's confinement room, pending payment of the fine. If it is not paid he will be sent to the City Workhouse.

Mercurio was represented by Atty. C. Allen High.

Three additional men, arrested earlier this week during school violence, were convicted in City Court Friday.

The three, all of whom have been questioned in connection with the dynamiting of Hattie Cotton School, testified they had lived near Negroes and worked with them over a period of years "without ever having a cross word with them."

Fined \$50 and bound to Criminal Court on charges of vagrancy were William A. Wilkins, W. D. Hodge and C. E. Crimmons. Crimmons is the brother of Vernon Crimmons, identified by police as a leader in the school boycott, who also has been questioned frequently in connection with the dynamiting.

Robert Jennings, assistant city attorney, threatened to cite Mercurio for perjury on several occasions during the hearing.

Several city police testified that they heard Mercurio speak to crowds at the War Memorial Building and at strife-torn Fehr School in North Nashville. They said that the crowds in both instances appeared to be whipped to anger by the native Ohioan's words.

Officers also introduced as evidence copies of "inflammatory" handbills and engraving plates which they said they were intended to arouse hatred between the races.

Mercurio pleaded not guilty. He was represented by Allen High said he was retained by the Tennessee Federation for Constitutional Government.

Police said that during the minister's speech in front of Fehr School the tone of the crowd became so tense that one man pulled a knife on another who went home, obtained a shotgun, returned to the scene and threatened to kill the man with the knife.

Fiery Exchange

During a fiery exchange of words between Mercurio and Jennings, the minister admitted that he once served 25 days in Los Angeles for unlawfully soliciting funds on the streets.

Mercurio said he came to Nashville with intentions to establish a residence and church here but added that he now "might reconsider" because of the manner in which he said he has been "persecuted."

Earlier Wilkins, Hodge and Crimmons said they felt they had been "misled" into taking part in the noisy picketing of the city's desegregated schools. The trio said they knew they had "done wrong" in their actions and pleaded for the court's mercy.

Judge Doyle suspended the \$50 fine assessed against Hodge.

All three admitted they were residents of the county and were unable to offer an acceptable explanation for becoming involved in the city desegregation move.

Planning To Move

At one point Hodge stated he is planning to move to Detroit.

"Can't you arrange to take a lot of these other people like you up there with you?" Judge Doyle inquired acidly.

"I'll borrow a truck or a bus for them to use if it will do any good," interposed Sgt. Herman B. Cobb.

They explained the discovery of wiring in their possession by saying they had used it to tie Ku Klux Klan signs to their auto and to make necklaces. They denied the wiring had been used to set off explosives.

The three said "wanted to do right," and this brought the retort from Jennings that:

"If they really want to do right, they'll help authorities determine who dynamited that school. I'm convinced they know a sufficient amount to help police."

*Racial Situation - Explosion at
Hattie R. Cotton School -
Nashville, Tenn.*

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*Racial Situation - Explosion at Hattie
Cotton School, Nashville, Tenn.*

6

Pal Reports 3 Sticks Left In Old Home

Charles Reed Tells Local Police,
FBI He and Segregationist Hid
Supply 2 Days Before School Blast

By WILLIAM KEEL

A Nashville pal of segregationist John Kasper told police yesterday he and Kasper cached dynamite in "an old house" two days before Hattie Cotton school was dynamited.

Police Chief Douglas E. Hosse confirmed that Charles Reed, who Monday was touring integrated

schools in a KKK-lettered car, had told investigators Kasper brought dynamite to the Reed home last Saturday and that they both then hid it in "an old house." Hosse said Reed told investigators that when he and FBI

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up in city workhouse yesterday after he was fined \$200 in city court and was unable to pay.

Turned Over to FBI

Reed tossed his bombshell linking Kasper for the first time to a plot of violence after voluntarily offering his evidence to the FBI early yesterday. The FBI turned him over to the city police.

Hosse would confirm only that part of Reed's statement which THE NASHVILLE TENNESSEAN had learned from reliable law enforcement sources.

He said the investigation of the dynamiting by Detective Lt. Rex White and Detectives William Stinnett and Thomas Campsey had not yet reached the point where charges would be placed. Six men have been in custody in connection with the blast since Tuesday.

Reed's home address could not be learned. The police withheld it because they said he was not under arrest and Reed, when asked for it, said, "not right now."

Reed Not Under Arrest

Kasper has said in public speeches that "certain persons" discussed school dynamiting with

agents went to check the "old house"—whose location was withheld—early yesterday, the dynamite was gone.

He said Reed insisted he did not know how it got out of the house.

As the dynamiting probe deepened, Kasper was ordered back to county jail after being indicted on a charge of inciting to riot. He failed to make a \$2,500 bond. If he makes that, however, city police stand ready to pop him back in city jail on vagrancy charges.

One of Kasper's followers, John Mercurio of Los Angeles, wound

him, but insisted he opposed the idea.

Police sources said that "at the proper time" the dynamiting investigation will include questioning of Kasper if Reed's story checks out.

Reliable sources said Reed had told authorities Kasper had left three sticks of dynamite in the "old house."

Hosse emphasized that Reed is not "under arrest" and that the investigation is being pushed to put the finger on the person or persons who plotted and executed the blast.

Reed called the FBI early yesterday, police said, and gave them a statement. The announcement that Reed was being directed to the city investigators came in statements from Herbert Brownell, U. S. attorney general, and Julius M. Lopez, agent in charge of the FBI office.

The four-page presentment against Kasper by the Davidson county grand jury listed 42 witnesses and included the allegation that Kasper incited a riotous condition, "including the dynamiting of the Hattie Cotton school."

One Charge Dropped

In another development, the original warrant charging Kasper with inciting to riot was dropped in general sessions court yesterday because of the broader, duplicating presentment.

The maximum fine in general sessions court is \$50.

In criminal court, Kasper could be levied a \$1,000 fine plus the same maximum general sessions misdemeanor sentence of 11 months and 29 days.

The charge by Reed is believed to be the first implication that Kasper took part in an act of violence.

Mayor Ben West announced yesterday that instructions have been issued to all officers to read to all groups gathered at or near schools the restraining order issued Thursday by Federal Judge William E. Miller. It enjoined Kasper and 11 others from interfering with integration.

The instructions request that any interference be reported to the FBI, telephone number ALpine 6-3676, or to the office of U. S. attorney, CHapel 2-9651.

4 Fines Levied

The instructions, signed by Hosse and West, said that "these persons will, if guilty, be held in contempt of the federal court and punished by fine and imprisonment."

In city court, Mercurio, a traveling preacher from Los Angeles, received four \$50 fines from Judge Andrew J. Doyle—two for disorderly

Praise for Press

Police Chief Douglas E. Hosse praised THE NASHVILLE TENNESSEAN specifically and the press generally yesterday for its coverage and conduct during the school integration.

"THE NASHVILLE TENNESSEAN," said Hosse, "has presented the story completely and factually. Their editorial support of the police department and order has helped us tremendously."

Generally, he said, "I can't give too much praise to members of the press—locally and from all over the nation."

The press, he said, "has co-operated wonderfully and assisted the department in many, many ways."

He said that when called on to co-operate in specific instances when emergency demanded, they had reacted readily.

"It was just complete co-operation," he said.

ly conduct by inciting to riot and one each for vagrancy and for loitering.

Doyle also said Mercurio would be bound over to criminal court on a state charge of vagrancy.

Attorney Allen High, retained by the Tennessee Federation for Constitutional Government to represent Mercurio, said he had no intention of appealing the fines.

Sent to Workhouse

Doyle convicted Kasper of four charges Wednesday and sent him to the city workhouse. His city fine paid, he was then hustled off to county jail.

"We have come to another milestone," Doyle said in pronouncing sentence upon Mercurio. "We have the tail of the mouse. The head went to the workhouse the other day and the tail is going to follow."

Mercurio, 35-year-old self-styled minister of the Church of Jesus Christ Inc., New York, admitted under cross-examination he had attended the federal court trial of Kasper in Clinton, Tenn.

In Knoxville yesterday, U. S.

District Judge Robert L. Taylor set Nov. 13 as date for oral arguments for new trial motions in the Clinton segregation trial. Kasper and six Clinton area residents were convicted last July of criminal contempt of court for interfering with peaceful integration of Clinton high school. They face sentences of up to six months in jail and \$1,000 fines, or both.

Violent Action Charged

The long presentment yesterday charged that Kasper in an effort to thwart integration came to Nashville "for the purpose of unlawfully inciting, counselling, commanding and procuring the citizens of Tennessee into unlawful assemblies, with intent mutually to assist against lawful authority."

It charged him also with "intent to overawe and terrorize the civil authorities and inhabitants of Nashville, to oppose by force and violence the enrollment and attendance of colored children to said public schools . . . (and) . . . to create great noise, riot, tumult . . . without authority of law."

It charged further that he conducted mass meetings to inflame the population and "did suggest and call for violence."

It also charged that he incited to riot "numerous citizens" including Vernon Albert Crimmons, James R. Harris, J. B. Blackwell, Carroll Crimmons, and W. D. Hodge, five of the six suspects held in the school dynamiting at city jail; and Betty Joe Moore, Marvin Sullins, Helen Green, Edna Jean Moore, Grace McKinley, John Wilkerson, Susan Finn, Sam P. Holt, Wilson Lee Brown, Helen Green, Willie R. Meadows, Willie Edward Halpin, Johnny Morgan, Billy Farris McClanahan, James Herman Dickens, John William Harmon, Albert E. Hall, Edward O'Hare Glump, G. H. Akins, Mary C. Morgan, Dorothy Akins, Gerald Hackett, and hundreds of other persons.

The sixth man being questioned in the dynamiting, William A. Wilkins was fined \$50 in city court yesterday on a charge of vagrancy. Two others under questioning, W. D. Hodge and Carroll Crimmons, received similar fines on the same charge.

State Indicts Kasper On Riot Count

John Kasper was indicted Friday on a charge of inciting to riot.

The Davidson County Grand Jury delivered a five-page presentment to Criminal Court Judge Chester K. Hart.

Atty. Montague S. Ross immediately asked the court to set a bond. Judge Hart set it at \$2,500 after conferring with Dist. Atty. Gen. Harry G. Nichol.

The 77-year-old Ross told reporters: "We can make the bond any time, and we'll make it when we're good and ready."

A similar charge against Kasper in General Sessions Court was inactivated soon afterward on motion by Asst. Atty. Gen. Robert J. Warner. Nichol said the grand jury action put Kasper into Criminal Court, "and we elect to try the Criminal Court case."

Kasper smiled as General Sessions Judge Henry Todd "nol-prossed" the charge lodged against Kasper by Constable Floyd Peek, who got the agitator out of bed at a Scott Ave. residence early Wednesday.

But the defendant was led back to jail—at least until his attorney was "good and ready" to make the bond.

If convicted on the misdemeanor charge, Kasper would face a maximum sentence of 11 months and 29 days, a \$1,000 fine, or both.

Kasper is expected to be arraigned on the charge next week. He undoubtedly will be tried during the present term of criminal court, which runs through November.

The Presentment

The presentment accuses the 28-year-old New Jersey native of inciting Nashvillians to assist him in attempting to prevent desegregation of first grade students.

It also charges the racist with inciting others to "overawe and terrorize civil authorities" in opposing by force and violence the enrollment and attendance of "colored children" in schools.

It declares Kasper unlawfully, wilfully and deliberately incited to riot Tuesday and on other dates. This obviously was in reference to segregation rallies staged by Kasper and other segregationists.

Referring to these rallies, the presentment said Kasper made speeches with the intent to "excite and arouse race prejudice."

The presentment charged that Kasper suggested at various times that persons use violence to prevent desegregation and named 30 persons whom the racist was said to have incited to riot.

The grand jury, headed by Foreman Sam Youngblood, a Southern Bell Telephone Co. official, in drafting the presentment heard testimony from the following:

Asst. City School Supt. W. H. Oliver; principals of the desegregated schools; Nashville Police Chief Doug Hosse; Asst. Police Chief W. H. Muller, and several Nashville reporters, citizens and patrolmen.

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Racist Could Face Jailing In Knoxville

Federal sources said it is a "good possibility" racist John Kasper will be slapped into jail in Knoxville if he is freed on bond here.

U. S. Dist. Atty. Fred Elledge said he would forward a number of affidavits to U. S. Dist. Atty. John Crawford at Knoxville for "whatever use Crawford sees fit."

This could include the request by Crawford for revocation of Kasper's \$1,000 bond in the racist's second Knoxville contempt of Federal court conviction, which stemmed from interference with desegregation of Anderson County High School at Clinton last year.

Revocation of bond—if requested by Crawford and granted by Knoxville Federal Judge Robert Taylor—could mean Kasper would be jailed in Knoxville pending the hearing of a motion for new trial in his second contempt conviction.

Elledge said the affidavits to be forwarded to Crawford will be from principals of Nashville's desegregated schools and City patrolmen and detectives.

The sworn statements will cite instances of disorder attributed to Kasper since the first grades of Nashville's public schools were desegregated Monday.

Another avenue open to Crawford, Elledge said, would be to request an increase in Kasper's contempt conviction bond. Judge Taylor, himself, would have the prerogative to increase bond if he felt revocation of bail too severe.

A Knoxville source said it is unlikely Crawford will take any action before Monday, as Federal offices are closed on weekends.

It is also a possibility Crawford may not take steps if Kasper is not freed on bond from County Jail.

Could Await Freedom

"He (Crawford) could wait until he is freed sometime in the future before petitioning the court to revoke his contempt bond. If he's in jail here, Crawford would know he's out of circulation," THE BANNER was told.

Mayor Ben West earlier this week asked Elledge to look into the possibility of revoking Kasper's bond in the East Tennessee cases.

Elledge said the affidavits were given him by the City of Nashville.

Kasper's first contempt conviction in the Clinton disorder presently is on appeal to the U. S. Supreme Court.

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Dynamite Alone Can Jail Kasper

By JOHN SEIGENTHALER

If there is substantial evidence that John Kasper had dynamite in his possession in Davidson county, he will be prosecuted under the state's new anti-dynamite law, authorities said yesterday.

Law enforcement officials said that under the new law it is not necessary to prove that Kasper had anything to do with blowing up Hattie Cotton school. He can be sent to prison for five to 15 years if it can be established

that he possessed dynamite, they said.

Charles Reed, identified as a friend of Kasper, has made a statement in which he said he and Kasper hid dynamite in a vacant one-story frame house in a wooded area north of the old St. Cecilia academy a few days before Hattie Cotton school was blown up early Tuesday morning.

Harry Nichol, district attorney general, said there must be corroborating evidence to prove that Kasper had dynamite.

"My understanding is that this

man's (Reed's) story at this time is not substantial enough to consider presenting to the grand jury. I have talked with city police officials and my impression is that he could have told the same story about anyone in Nashville and we would be equally unable at this point to back it up."

Nichol said he intends to keep in close contact with city police chief D. E. Hosse on the case "and if there is sufficient evidence it will be presented to the grand jury."

Chief Hosse said: "This man may not be telling us the whole truth. We must check out his story. He may be holding something back. We have nothing to hold him for. He turned himself in to the FBI."

Won't Confirm, Deny

Kasper was faced with Reed's story yesterday. He would neither confirm nor deny it was true that he and Reed stashed the dynamite in the vacant house. Police declined to release details of Reed's statement or to give his home address.

It was learned that Reed gave police a diagram of the house where he and Kasper stored the dynamite. He then took officers to the house in search of the dynamite. It was also learned that there was evidence that something

had been left on the floor where Reed said he left the dynamite. Reed said that originally the dynamite was left at his home, but later moved to the "old house." Reed was turned over to local police by the FBI to whom he turned himself in when he learned he was wanted for questioning.

Reed was seen on Monday in crowds of segregationists at schools which were desegregating. He rode from school to school in a car marked "KKK."

It was pointed out that if his story about the dynamite is true he may be held on a charge of possessing dynamite under the new statute which makes having explosives or their accessories a felony.

Still in County Jail

Kasper was still in county jail last night charged with inciting to riot under a grand jury presentment returned Friday. His bond is set at \$2,500. He was put in county jail after he was released from city jail Thursday afternoon when a \$600 cash appeal bond was posted with city court on two charges of disorderly conduct, a vagrancy charge and a loitering count. He had been found guilty of these charges and fined \$200 in city court. He spent one night in city workhouse before he was released.

Meanwhile Chief Hosse yesterday urged "anyone with any information concerning the dynamiting of Hattie Cotton school" to come forward and volunteer that information.

"We are receiving information, but we have reason to believe that there are those who are holding back for fear or because of intimidation."

"We are offering full police protection. It is not necessary to call or come to police headquarters," Hosse said. "We are willing to arrange meetings away from the police station, and in private. We feel confident that we will receive this information."

There is \$6,000 in rewards offered for information leading to the arrest and conviction of the dynamiters. Another \$1,000 is expected to be offered by city council at the next council meeting.

Police have granted police protection to persons already who have received threats or intimidation since the school desegregation started here.

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*Racial Situation - Explosions at Hattie P. Cotton
School - Nashville, Tenn.*

Kasper Aide Ties Him to School Blast

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DATED 9/15/57

FORWARDED BY N. Y. DIVISION

RE: RACIAL SITUATIONS

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Special to the New York Post

Nashville, Tenn., Sept. 14 — A follower of segregationist John Kasper today linked him directly to the dynamiting of the integrated Hattie Cotton School for the first time.

Charles Reed, a middle-aged local man, was turned over to local police yesterday by FBI agents after he appeared in their office voluntarily Thursday night.

Police Chief Douglas E. Hosse said Reed told investigators that Kasper brought some dynamite to the Reed home last Saturday night.

Reed said he and Kasper then took it to "an old house" and cached it.

The \$500,000 Hattie Cotton School was partly demolished early Tuesday by a massive dynamite blast.

Hosse said Reed and FBI agents went to the old house early yesterday and the dynamite was gone. Reed insisted he didn't know what had happened to it.

Hosse refused to give any other details until Reed's account had been "checked out." He emphasized that Reed was not under arrest.

The police chief said Kasper, now in the county jail in default of \$2,500 bond after being indicted for incitement to riot, would be questioned "at the proper time." The rabble rouser has insisted that he opposed "certain persons" who urged blowing up the schools.

Police would not give Reed's address, and Reed himself said he preferred not to give it "right now."

Active in Demonstrations

He had been much in evidence earlier in the week taking part in demonstrations around the five elementary schools which were able to operate on an integrated basis. Only the first grades were desegregated under Federal Court order.

Reed was seen riding around town in KKK-lettered cars.

6 in Custody

Six persons were picked up Tuesday in connection with the dynamiting and still are in police custody.

Three are regarded as prime suspects. They are Vincent Albert Crimmons, 32, James R. Harris, 47, and J. B. Blackwell, 42.

Police said that while they might not actually have helped set the blast, they have definite knowledge of it.

Federal Restraint

Kasper and nine others have been served with a restraining order issued Thursday by Federal Judge Miller forbidding any further interference with peaceful integration of the schools. Two of the 12 named in the order have not been located by U. S. marshals.

Those named are to appear before Judge Miller Monday at a hearing seeking a temporary injunction.

Local police were ready to keep Kasper behind bars even if he raises the \$2,500 bond on the county charge. They have prepared a new vagrancy charge against him.

One of Kasper's aides, the Rev. John Mercurio (also known as McCurrio) of Los Angeles, also named in the federal order, was jailed yesterday when he could not raise a \$200 fine imposed by City Judge Doyle.

Finding Mercurio guilty of a variety of misdemeanors, Judge Doyle, who also had fined Kasper \$200 and sent him to the Workhouse on Wednesday, said:

"We have reached another milestone in this trouble. The head of the horse went into the Workhouse day before yesterday and it looks like the tail is going to follow."

*Racial Situation - Explosion at
Hattie R. Cotton School - Nashville, Tenn.*

Kasper To Go To Court Today

Will Appear To Show Cause Why Injunction Should Not Be Issued

John Kasper must appear in federal court today to show cause why a preliminary injunction should not be issued restraining him and 11 others from interfering with Nashville school desegregation.

Judge William E. Miller has set the public hearing for 1 p.m. He issued a temporary restraining order against Kasper and his associates last Thursday at the request of attorneys for the City of Nashville and the Nashville Board of Education.

For the New Jersey-born segregationist, today's court appearance is merely the latest in a series of headaches that have piled up since he was arrested three times in 12 hours last Tuesday.

Still in Jail

He is still in county jail charged with inciting to riot under a grand jury presentment returned Friday. His bond has been set at \$2,500 on that charge.

Meanwhile, Miss Margaret Cate, principal of Hattie Cotton, announced last night that part of the dynamited school would open for classes at 8:05 a.m. tomorrow.

First and second graders will attend a half-day of classes, Miss Cate said, while other grades will meet for a full school day. First graders will report at 8:05 and be dismissed at 12:15, she said. Second graders will attend from 11:30 a.m. to 2:50 p.m.

"I want to assure parents the building is perfectly safe for their children," Miss Cate added. "The engineers have told us the whole building is safe except the east

wing and it has been sealed off so the children can't get into it."

Workmen have been busy all weekend at the school, Miss Cate said. The doors have been replaced in the front corridor and the

damaged ceilings have been removed. The electricity has been restored in the entire building as well as the communications system and broken window panes have been replaced.

Cafeteria Ready

The cafeteria, she said, will be in full operation, and all students, including first and second graders, will be served lunch there. The auditorium has been repaired and partitioned into temporary classrooms to serve the students, she said.

Miss Cate said she did not know whether the school's one Negro child will return to classes this week, but said she assumed the child would return unless she hears to the contrary from the parents.

Asst. School Supt. W. H. Oliver has urged all pupils in city schools to return to class tomorrow after today's state fair holiday.

"It is safe for them to go back," he said, "and they should go back. They shouldn't get any further behind in their studies."

A friend of Kasper, Charles Reed, has told police he helped Kasper hide dynamite in a vacant house near the old St. Cecilia academy in North Nashville a few days before the school was blown up.

If Kasper were convicted of possessing the explosive illegally, he could face a prison term of from five to 15 years under Tennessee's new anti-dynamite law passed by the state legislature this year, even if it is not proved he took part in the dynamiting.

While being held in county jail, the segregationist is free under \$600 cash appeal bond from city workhouse where he was working off \$200 in fines for two disorderly conduct charges and loitering and vagrancy.

Police Chief Douglas E. Hosse said he believes the crisis has passed as far as the schools are concerned, and he expects "no trouble" tomorrow.

"We are easing the police force back from an emergency status," he said, "although all leaves and vacations remain cancelled until further notice."

His men will keep a close watch on the schools, he said, although police barricades have been removed.

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Racial Situation - Explosion at
Hattie R Cotton School -
Nashville, Tenn.

By KEN MORRELL

More than 86 per cent of enrolled students attended six desegregated Nashville schools today, in sharp contrast to the handful who braved intimidation and fear of violence a week ago.

The number of Negroes attending mixed first-grade classes dropped to 10. The total was 19 on Monday of last week.

As classes got down to serious business for the first time since "books" began last Monday, school officials were optimistic that the remainder of students not yet in classes would report Wednesday.

2,241 Attending

A total of 2,241 students are attending the six schools where Negroes enrolled in the first grade last week. This compares with a combined enrollment of 2,601, and compares even more favorably with the 1956-57 average daily attendance of 2,493.

Based on surveys in the school areas, principals expected a total of 2,666 students to enroll in these six schools this year. The enrollment, which shot upward today with the registration of many students who had not attended any classes this year, stands only 65 short of the number expected.

Fehr Leads

Fehr School, in North Nashville, showed the greatest attendance increase since classes were dismissed Friday for a long weekend. Of 377 students enrolled, 267 attended today compared with only 42 on Friday. One of two Negroes enrolled attended class today; the other was absent without any explanation.

Fehr's attendance remains 101 below the average daily attendance last year but the enrollment is only 31 short of the number expected in the pre-school term estimates.

A heavy increase in attendance also was noted at Buena Vista School, which reported 303 in class today compared with only 103 of its 400 enrollment on Friday. The school's enrollment already has pushed 11 ahead of the 389 expected this year but its attendance today

(Continued on Page 2, Column 4)

is 72 below the average daily attendance last year. The school's two Negro first-graders were in class today.

Jones School, with an enrollment of 431 including four Negroes were in class today.

475 of 490

Glenn School, with an enrollment of 490 after today's classes opened, reported 475 students present including the two Negro first-graders. The enrollment figure climbed from 389 on Friday when 335 were in attendance. School officials, however, had expected 515 to enroll this year.

Clemons School, the scene of no disorder during the desegregation last week, reported today that its attendance is still almost 100 per cent of its 510 enrollment. Eleven students were absent because of illness. Its one Negro student was in class.

The lone Negro enrolled at Hattie Cotton School, parts of which were riddled by a dynamite blast last Monday night, today applied for a transfer all-Negro Head School, reducing the number of desegregated schools to five and the number of Negro first graders to 11.

A total of 372 Hattie Cotton students attended classes today, compared with an enrollment of 393. Both the enrollment and attendance figures represent increases over the number expected this year and the average daily attendance last year.

School officials, assuring parents their children will be safe, have urged Nashvillians to send their children to school immediately.

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Racial Situation
School Nashville, Tenn.
Hattie R Cotton

By JACK SETTERS

John Kasper, the New Jersey-born agitator who is accused of sparking race violence here last week during desegregation of schools, pleaded innocent in Criminal Court today to a charge of inciting to riot.

Judge Chester K. Hart gave Kasper 60 days in which to prepare his defense.

At the same time, Kasper's Nashville attorney, Montague S. Ross, announced that J. Benjamin Simmons, Washington, D. C., attorney who represented Kasper in the Clinton school strife in Knoxville Federal Court several months ago, will assist in the defense.

Dist. Atty. Gen. Harry Nichol said Simmons' entrance into the case "comes as no surprise."

Held In County Jail

Nichol said he already has assigned two of his assistants, R. B. Parker, Jr., regular trial lawyer, and Paul F. Bumpas to aid him in prosecuting the controversial segregationist who is being held in County Jail under a \$2,500 bond.

Kasper's fourth appearance in a court in less than a week was the briefest one yet.

The arraignment took exactly 60 seconds.

The tall, sphinx-like defendant conferred briefly with Parker prior to the arraignment, then was seated beside his attorney who said simply, "The defendant pleads not guilty, your honor."

Ross waived reading of the grand jury presentment which was handed up against Kasper last week after an outbreak of violence climaxed with the bombing of an East Nashville elementary school.

Earlier, Parker had agreed to allowing the defense 30 days in which to prepare its case but did not protest the requested extension of time.

Immediately after the arraignment ended, Kasper was waved back to the prisoner's box but a court officer intercepted him and whisked him back to his seventh-floor jail cell.

It was Kasper who broke in on the hearing to request the extension of time, apparently in an effort to allow Simmons sufficient time in which to reach Nashville and study the case.

Nichol said the State's case would be based on the "fact of law."

"We anticipate," Nichol told THE BANNER, "that the defendant will rely upon the First Amendment and Article I, Section 19, of the Constitution of

Tennessee, in an effort to justify his action.

"We will be prepared on these issues from a standpoint of law and fact."

First Amendment

The First Amendment states: "Religious and political freedom. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of people peaceably to assemble, and to petition the government for a redress of grievances."

Article 1, Section 19, concerning freedom of speech and press, declares:

"... The free communication of thoughts and opinions, is one of the invaluable rights of man and every citizen may freely speak, write, and print on any subject being responsible for the abuse of that liberty."

Simmons leaned heavily on the First Amendment in his defense of Kasper, as did attorneys for the Anderson Countians who had been cited with him for contempt of a Federal Court injunction forbidding interference with the peaceful integration of Clinton High School.

Nevertheless, Kasper and six others were convicted and are awaiting arguments for a new trial in this case.

It is thought possible that the Criminal Court trial of Kasper might consume from two to three weeks as in all likelihood it will become enmeshed in a series of laborious constitutional questions.

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Integration In Public
Schools, Nashville, Tenn.
CIVIL RIGHTS

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Racial Situation - Explosion
at Hattie Cotton School
Nashville, Tenn.

Agitator-Led Opposition Said Fading

The Kasper-commanded block to desegregated schools in Nashville appeared smashed today as classes began their second week with near-normal attendance.

Students, both Negro and white, still somewhat apprehensive from last week's outbreak of interference and violence, walked back to school without being molested by Kasper-led segregationists.

As they filed rapidly into the buildings, including dynamited Hattie Cotton School in East Nashville, Frederick John Kasper, the widely denounced New Jersey-born racist, was preparing to make his fourth appearance in court in less than a week.

Sharp Contrast

Today's back-to-school move was in sharp contrast to the noisy, violence-ridden demonstrations of just one week ago.

School patrol children stood, unmolested, at the safety zones and assisted in escorting long lines of classmates across the streets safely.

Police said several parents who took their children to school today were those who had been hooting and yelling against school attendance last Monday and Tuesday.

No crowds gathered at the schools and in only two instances were police forced to ask persons to move on.

At Jones School, two unidentified women, carrying pre-school-age children, were asked to move from an alleyway across the street from the building in

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an effort to hold down the possibility of any more persons congregating there.

Two blocks from Fehr School, a woman arrested last week in school disturbances was observed to purposely fail to board one bus and to wait to talk with two women who had taken their children to school. A motorcycle patrolman remained at the bus stop until she boarded the next bus.

At Buena Vista School, one Negro boy was allowed to leave his father's car at the curb and walked, alone, into the building. The white students showed no signs of paying any attention to him. The parents of a Negro girl attending school there walked her into the building, however.

Two Negro first graders, accompanied by their fathers, entered Fehr School without incident.

The one Negro student who enrolled at Hattie Cotton did not attend classes today. Her parents had requested she be enrolled at an all-Negro school and the request was granted.

At Glenn School the "boycott" has boiled down to five or six families. There were no disorders when the children trooped to classes this morning.

There were no gatherings at Caldwell School where the last Negro registered has been transferred by request. Caldwell was the scene of numerous disturbances and arrests last Tuesday.

Asst. Police Chief F. M. Muller toured the schools this morning and talked with the skeleton crews of police who were stationed in the areas.

Advises Warning

He advised the men to read copies of the Federal Court injunction to any persons who might congregate and to warn them that they automatically became parties to the court order if they attempted to interfere "in any manner" with the students returning to school.

Some white students, especially in the young age group, were accompanied to the schools by their parents while others walked, apparently unconcerned, alone and in small groups.

"It looks as though the parents have decided that the Federal Court means business—even if they are against desegregation," Muller declared at the completion of the morning tour.

He said that police vigil will not be relaxed as result of today's peaceful desegregation and that special details of officers will be kept in readiness at the schools "both day and night until this thing is licked."

City Police and detectives continued their investigation into the early morning bombing of Hattie Cotton School while City Council prepared to add \$1,000 to existing rewards when it meets tonight.

This would bring the total to \$7,000.

The State has offered \$5,000 and James G. Stahlman, publisher of THE NASHVILLE BANNER, is offering \$1,000 for the conviction of person or persons guilty of setting off the blast.

Inciting To Riot

Kasper was arraigned today in Criminal Court on a State charge of inciting to riot—the first case of its type ever to be tried in Davidson County.

The segregationist's third court appearance Monday was an unhappy occasion for both Kasper and his followers who were liberally sprinkled throughout the crowded Federal District Court room.

Judge William E. Miller put the damper on further demonstrations when he issued a temporary injunction forbidding Kasper and nine others—any one else acting in concert with them—from interfering with desegregation of schools here.

This, plus the "get tough" policy of city police and City Judge Andrew Doyle, apparently broke the back of the organized efforts to keep the Negroes out of six previously all-white schools.

Calls Continue

However, there were reports that numerous parents still are receiving telephone calls, pleading that they keep their children out of school as a means of "peaceful opposition" to the Supreme Court's desegregation order.

Kasper fared little better in Federal Court than he did last week in City Court when he was slapped with a \$200 fine on various charges growing out of disturbances around the schools. He is on bond from this charge, awaiting an appeal to Circuit Court.

His better moments in General Sessions Court came when a charge of inciting to riot was dropped in order to give precedence to the grand jury presentment charging the same thing and taking Kasper directly to Criminal Court.

Held In Jail

He is being held in County Jail in lieu of \$2,500 bond.

The names of two respondents which appeared originally on the Federal Court's restraining order were dropped on orders of Judge Miller.

Wilson Lee Brown, Nashville refrigeration repair man, told the court he was in the vicinity of Fehr School on business when City police arrested him. "This," Judge Miller ruled, "seems to be a matter between this man and the police."

Federal authorities were unable to locate a man listed as James Jarrell to subpoena him and he was removed from the list of respondents.

But the Rev. Fred Stroud and six others were unable to convince the court they were not acting in concert with Kasper in an effort to interfere with Judge Miller's order to desegregate schools on the first grade level in keeping with a plan offered by the City Board of Education.

Under Restraint

Under restraint, in addition to Kasper and the Rev. Mr. Stroud, minister of the Bible Presbyterian Church in North Nashville, are:

The Rev. John Mercurio, roving preacher from Los Angeles; Emmett A. Carr, local KKK chieftan, who did not appear for the Federal Court hearing; Vincent Albert Crimmons, who insists his children will attend school with Negroes only "over my dead body;" J. A. and Mrs. Mary B. Stinson, Mrs. Margaret J. Conquest, James Harris, arrested with Crimmons, and Paul McConnell.

Efforts on the part of Thomas P. Gore and Sims Crownover, Tennessee Federation for Con-

stitutional Government attorneys who represented the Rev. Mr. Stroud in Monday's Federal Court proceedings, to inject a new school plan into the hearing; fell short when Judge Miller cut them off, abruptly.

'Not At Issue'

"That is not at issue here today," the jurist informed them.

They had attempted to explain the working of the so-called voluntary desegregation plan which would allow desegregation of schools in those areas where both Negro and white parents "so desire."

Tone of the argument was that: "Only racial segregation enforced by law is unconstitutional."

During the hearing, the Rev. Mr. Stroud, who has spoken at numerous Kasper-sponsored meetings, sent word to Judge Miller through his attorneys that if dropped from the injunction he would confine his remarks "to my church and from the pulpit."

After hearing testimony from the Rev. Mr. Stroud and the other respondents named in the injunction, Judge Miller ruled that the City of Nashville, the school board and the citizens "are entitled to this (injunctive) protection."

Affidavits, Photographs

School board attorneys Edwin F. Hunt and Reber Boulton have filed affidavits and photographs which placed each of those named in the injunction at the scenes of disturbances around the schools on Monday and Tuesday of last week.

Judge Miller also overruled objections to the phraseology of the strongly worded restraining order, declaring that under the circumstances he did not feel that boycotts and picketing should be allowed at the schools.

The injunction, Judge Miller pointed out, "does not restrain the lawful right of freedom of speech," but he quickly added, "the freedom of speech does not include the right to persuade someone else to violate the law."

Kasper has been convicted twice of violating a similar Federal Court injunction for his anti-desegregation activities in Clinton in 1956.

'More Restricted'

Judge Miller said he thought the language of his injunction is more restricted than in the Clinton case. The wording was lifted from the now famous Hoxie, Ark., injunction which has been upheld by the Circuit Court of Appeals.

In cutting off discussion of the voluntary plan, offered by federation attorneys, Judge Miller said bluntly:

"There is no need to try and dodge the Supreme Court ruling. You can devise schemes from now on, but the Supreme Court ruling still is the law of the land."

Comments

Comments of persons cited in restraining order who represented themselves in Federal Court Monday:

The Rev. John Mercurio said as a minister it was his firm belief and conviction that The Bible clearly teaches that segregation should be practiced.

He told the court that he had no intention of inciting violence, but believed the right to differ in a crisis should be upheld.

Mercurio charged that he now is being held "incommunicado" in the County Workhouse and that his constitutional rights are being violated.

He was advised by the judge that charges in the lower courts were not being considered. Mercurio said the Federal hearing presented him with with "a great opportunity to ask for help."

Mrs. J. A. Stinson told Judge Miller that she was "green about the law." She said if she broke the law she did not realize it.

Mrs. Stinson said she and her husband had appeared at Jones school as spectators and not to oppose desegregation. When questioned about a picture showing her and her husband carrying a sign reading: "Last Day of Peace—Race Riots Feared," she said that "somebody just handed them to us."

Sunday School Teacher

She added that she is a Sunday School teacher and loves children.

"I'm about to have a nervous breakdown," Mrs. Stinson said as she left the stand.

Mrs. Margaret Conquest, who was accused by Asst. Chief F. W. Miller of using vile language and shouting "nigger lover" at persons entering the school, said she was only joking with policemen and reporters.

Mrs. Conquest said she carried a picket sign reading: "Keep our white schools white."

She said she still opposes desegregation of the schools and was only exercising "her right of free speech."

"You can't change people's hearts," she added.

Mrs. Conquest said she has 11 nieces and nephews enrolled in Glenn, but her three children attend the county schools.

J. A. Stinson said he was not guilty, but admitted attending several of the segregationist rallies. He said that he spoke out against violence at one of the schools. He confirmed his wife's testimony that he did not know what the signs read which he was pictured holding.

Stinson added that he had provided lodging for the Rev. Mr. Mercurio.

James R. Harris also said he was exercising right of free speech. He said believes in keeping the schools white.

"I don't feel like you should put colored kids in those schools. If you do its just awful."

He testified that he took a gun from a Negro "who was going to shoot at the police."

Vincent A. Crimmons, who charged that City police "whupped" him, said: "I got two kids going to school but they'll never go with no nigger—over my dead body they'll go."

Muller's affidavit alleged that Crimmons was arrested with a group of other men and that bolo knives, clubs and dynamite wire was found in a car owned by Crimmons.

Crimmons said he was just "walking the picket line like them unions do."

Paul McConnell said he has two children registered in Buena Vista School and that he had joined the crowd to see what was going on.

McConnell said he carried "one of those signs, but I wasn't up to cause no disturbance. I don't believe in violence. I had enough in the war."

An affidavit alleged that McConnell was taking an active part in trying to keep children from attending the school.

City Enrollment Reaches 90 Pct.

By WALLACE WESTFELDT

Attendance at Nashville's five integrated elementary schools yesterday jumped to 90 per cent of enrollment as white and Negro first graders started their second week of class together.

As the integrated schools returned to normal, segregationist John Kasper was arraigned in criminal court on the state charge of inciting to riot. His trial was set for Nov. 18.

Kasper pleaded not guilty to the charge through his attorney Montague S. Ross.

He was returned to county jail where he faces the prospect of a two-month stay unless he raises \$2,500 bond.

Rewards Boosted

City council voted last night to offer a \$1,000 reward for the arrest and conviction of those who took part in the dynamiting of Hattie Cotton school Sept. 10, where one Negro child was enrolled.

Council's action brought the total of rewards to \$7,000. The

● See editorial "All Is Normal—Except the Memory" on page 6.

state has offered \$5,000 and another \$1,000 came from a private source.

The Negro child has been transferred at her mother's request to Head elementary school, an all-Negro school in North Nashville, after attending Hattie Cotton one day. All but a handful of the school's 393 students returned to class for the first time yesterday since the dynamiting.

There were 126 Negro first-graders eligible for registration in 16

formerly all-white schools in the city. Only 13, however, showed up for registration at six of the schools. There are now 11 Negro children still enrolled in five schools integrated.

Quiet Reigns

Reports from each of these five schools yesterday were in sharp contrast to those of a week ago. At that time, segregationists dem-

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onstrated their opposition to desegregation in unruly crowd scenes.

Yesterday, quiet reigned at each of the schools.

At Glenn, one of the hot spots of segregationist disturbance last Monday, the two Negro children enrolled there walked to school with their fathers at 8:10 a.m. Four traffic officers were on duty at the school but all remained across the street from the school building.

Several of the white men who strongly protested desegregation at Glenn last week were there again yesterday—but this time as fathers taking their children to school and not as demonstrators.

The condition at Fehr school over in North Nashville was captured by the remark of Miss Stella Groomes, the school's principal. Said she:

"This is young America here today, not a mob."

Hug Principal

Miss Groomes stood outside the school building on the corner of Fifth avenue North and Garfield street and welcomed the Fehr children back to school. She told them it was good to see them and frequently little girls would rush up to the principal and hug her.

One of the two Negro children still enrolled in the school, was present yesterday. The other has not been transferred and is expected to return today.

Three motorcycle patrolmen were stationed outside the building. They were not needed. There were no mobs, no pickets, no attempts to intimidate the Negro children.

Miss Groomes said 48 of the school's 69 first graders were present yesterday.

The situation at the city's three other desegregated schools was the same—quiet. The four Negro children enrolled at Jones, the two at Buena Vista and the one Negro child enrolled at Clemons attended school without incident.

Said W. A. Bass, city school superintendent: "I believe our trouble is ended and by Friday I look for everything to be as normal as in mid-term."

The attendance record:

	Total Enrollment		
	Tuesday	Friday	ment
Clemons . . .	496	496	509
Buena Vista 303		104	370
Fehr	267	42	377
Glenn	451	335	500
Jones	325	123	430

After Kasper's arraignment, he was returned to county jail where he has been confined in lieu of \$2,500 bail. He has been in jail since Sept. 10 when he was first arrested.

No attempt has been made to make his bond and persistent reports that the city's eight professional bondsmen have been asked not to make his bond indicate that Kasper will remain in jail until private parties produce the funds to free him.

Asks 60 Days

The trial date was set by Judge Chester K. Hart after Ross asked for 60 days in which to prepare his case.

This was agreed to by R. B. Parker Jr., assistant district attorney general.

Kasper was brought to his arraignment with six other prisoners from county jail. Three of the prisoners were Negroes.

The arraignment lasted five minutes.

After Kasper's name was called, Ross said:

"The defendant pleads not guilty, your honor."

Parker: "Mr. Kasper has requested he be given sufficient time to prepare his defense."

Judge Hart: "He certainly will have it."

Parker: "He also indicated Mr. Simmons (J. Benjamin Simmons) of the bar in Washington will be associated with Mr. Ross."

(Simmons is the Washington attorney who has defended Kasper in his two previous trials in Federal court for contempt of court—which he lost—and the trial on state charges of sedition of which Kasper was acquitted.)

* * *

(Ross, Kasper's Nashville attorney, declined last night to confirm or deny reports that he is a former member of the Ku Klux Klan. He did say, however, that he had represented the Klan in a court case about 30 years ago.)

Harry G. Nichol, district attorney general, said Paul Bumpus, an assistant in his office, has been assigned to work on the case with Parker.

Plead 1st

"I'm assigning Bumpus to work especially on this case," Nichol said. "We expect the defendant Kasper first to deny the charges and second, to plead protection under the first amendment of the U. S. Constitution and under Article 1, section 19 of the constitution of Tennessee."

The first amendment to the U. S. Constitution provides that "congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of people to peaceably assemble, and to petition the gov-

ernment for a redress of grievances."

The provision from the state constitution Nichol referred to reads, in part: "... That the printing presses shall be free to every person to examine the proceedings of the Legislature; or of any branch or officer of the government, and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions, is one of the invaluable rights of man, and every citizen may freely speak, write, and print on any subject, being responsible for the abuse of that liberty..."

At Hattie Cotton school all but a handful of the school's 393 students returned to class for the first time since dynamite ripped apart the interior of the school's east wing.

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Racial Situation - Explosion at
Hattie R. Cotton School
Nashville, Tenn.

Segregationist's Bond Obtained; Held for Week

Attorney Promises
He Won't Return
Until Nov. 18 Trial

By MAC HARRIS

Lanky John Kasper, weary and surly after a week in jail, shook the dust of Nashville and Davidson county out of his coattails yesterday.

His attorney promised he wouldn't be back until his Nov. 18 trial.

Kasper's eyes were red and his chin stubbled with beard as he left county jail at 12:40 p.m. He held in one arm newspapers with headlines about himself—mementos of his stay in Nashville.

Packs Clothes, Drives Away

After leaving jail, the rabble-rousing segregationist went to 2901 Scott ave., where he has been staying while in Nashville.

There, he packed his clothes, crawled behind the wheel of his beat-up red Plymouth convertible, drove through town and out Highway 70N—apparently headed for Knoxville.

Behind Kasper's vehicle and almost bumper-to-bumper in the heavy traffic, a city police car

followed. Two heavysset detectives, Glenn Bowers and C. E. Burris, were in the unmarked police car.

They stayed with the segregationist from the moment he left city jail until he crossed the Davidson county line into Wilson county.

Bond Posted by Attorney

Kasper was freed from jail after a \$2,500 cash bond was posted in the criminal court clerk's office by Montague S. Ross, Kasper's attorney.

Lee R. Foster, Knoxville contractor and a director in Kasper's Tennessee White Citizens council, said he put up the money.

"It's my money," said Foster, a slender, well-dressed man in his middle 30s. "But the White Citizens council will reimburse me. I made the bond to save time."

Foster, who is also a director in the Knox county White Citizens council, accompanied Kasper from jail and was still with him as Kasper headed for Knoxville.

(Reached at his home in Knoxville at midnight, Foster said he and Kasper arrived in Knoxville a few hours after leaving Nashville. He said Kasper was spending the night with friends.)

Waited for 15 Minutes

Kasper and Foster were forced to wait about 15 minutes at the rear of the courthouse after the long-striding agitator was released from the seventh floor jail.

They were picked up in a battered gray Ford by Mrs. Robert W. Wray of 117 Jay st.

Mrs. Wray, followed by the two detectives, drove to the Scott ave.

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new address of Mr. and Mrs. Fred M. Boatman.

They parked in a driveway at the rear of the neat frame home. Foster got out of the car, but Kasper remained for about 45 minutes talking to Mrs. Wray.

Mrs. Wray Won't Talk

Reached at her home later, Mrs. Wray refused to discuss what she and Kasper had to say to each other.

"I don't have any comment," the attractive mother said.

With the two detectives parked a half block away and watching everything, Kasper and Foster loaded the red Plymouth. It took them about 45 minutes, because Kasper stayed in the house for about 15 minutes every time he went in for a load of clothes.

Kasper was noncommittal after being behind bars a solid week.

Asked how it felt to be out of jail, the self-styled rabble rouser who for weeks shouted his views to crowds wherever he could find them in Nashville only had this to say:

"I don't have anything to say right now."

Gazes Up Into Air

When other questions were popped to him by newsmen, Kasper gazed up into the air, a slight smile on his lips, his hair falling from under the wide brim of his soiled white Stetson hat.

But his attorney, Ross, assured newsmen Kasper was getting out of Nashville.

"He'll go to Washington probably," Ross said. "I know he is not going to be here."

At this point, the lanky segregationist, who is in trouble because he talked too much, made his one comment of the day to the press:

"I ain't for sure Mr. Ross is speaking for himself and not for me," he said.

Kasper must return to Nashville Nov. 18, however, to stand trial on a charge of inciting to riot—a common law offense.

4 Other Cases Pending

On top of that, he has four cases appealed from city court pending in circuit court here. He is charged with vagrancy, loitering and two counts of disorderly conduct.

City Judge Andrew J. Doyle fined Kasper \$50 on each of the four counts on Sept. 11.

After Kasper spent the night in the city workhouse polishing bars and sweeping out his cell block, \$500 cash bond was posted for him by Porter Freeman, Antioch feed merchant.

But the bond didn't get Kasper his freedom. He was only transferred from one jail to another, because in the meantime Constable Floyd Peek had charged Kasper in a state warrant with disorderly conduct by inciting to riot.

Indicted by Grand Jury

This charge was dropped after the grand jury indicted Kasper on the more serious common law offense. Maximum punishment for the latter offense is \$1,000, or 11 months and 29 days in jail or both.

Kasper was first arrested Sept. 10 on the four city charges. He was freed immediately on bond, but when he walked outside he was arrested again on a parking violation.

Kasper posted bond for this too and he remained free until about 12:30 a.m. the next day when Peek jailed him on the state warrant of disorderly conduct.

This time a 72-hour "hold" was put on the segregationist, keeping him in jail until the city cases could be tried and until the grand jury had an opportunity to act.

Met in Clinton Year Ago

Foster, a building and excavation contractor, said he first met Kasper in Clinton, Tenn., about a year ago.

He said he attended most of the federal court contempt trial of Kasper in Knoxville.

Since then, Kasper has been cited in federal court here in an injunction barring him from interfering with school desegregation in Nashville.

Foster said Kasper's bond had not been made here sooner because of fear.

"The papers got a lot of people scared," he said. "They are afraid to move, but after all of this settles down I think they will realize the story."

"It's like Clinton, a lot of people blame Kasper for the trouble but people should realize the troubles go to the corrupt supreme court and to the degenerate politicians we have in office throughout the nation as well as in Tennessee."

File

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 Nichols _____
 Boardman _____
 Belmont _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 Nease _____
 Tele. Room _____
 Holloman _____
 Gandy _____

BAUMGARDNER

When High School Is Integrated

President Confident That Little Rock Will Oppose 'Violence by Extremists'

By Edward T. Folliard
 Staff Reporter
 NEWPORT R. I., Sept. 21
 President Eisenhower expressed confidence this afternoon that the citizens of Little Rock "will vigorously oppose any violence by extremists" if Negro pupils enter the embattled high school there next week.
 All parents, he said, must sympathize with the "ordeal" the Negro children and parents had gone through.
 He went out of his way to praise the conduct of the nine Negro children barred from the school for 20 days by National Guard troops, called out by Gov. Orval E. Faubus of Arkansas. He said they and

their parents had conducted themselves with "dignity and restraint."
 The Chief Executive also praised efforts by the citizens of Little Rock in general, prior to Sept. 2, to show that they were persons of good will with a respect for the law.
 This could have been an oblique crack at Faubus, who in calling out the National Guard on Sept. 2 insisted that he was not trying to block integration but to avoid violence. Federal Government investigators found no evidence of a danger of violence.
 The President's statement this afternoon was the second of the day from the vacation White House in Newport, fol-

lowing Faubus' action in withdrawing the National Guard from the high school in Little Rock.
 It was issued after Attorney General Herbert Brownell called from Washington to report that the Little Rock School Board had announced its intention of proceeding with the integration of white and Negro children in the high school Monday.
 This news came after Mr. Eisenhower had played 18 holes of golf at the Newport Country Club with George Allen, Washington financier; Ellis D. Slater, chairman of the board of Frankfort Distillers,
 See IKE, Page A12, Col. 7

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 Wash. News _____
 Wash. Star _____
 N. Y. Herald Tribune _____
 N. Y. Journal-American _____
 N. Y. Mirror _____
 N. Y. Daily News _____
 N. Y. Times _____
 Daily Worker _____
 The Worker _____
 New Leader _____

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RACIAL SITUATION - EXPLOSION AT HATTIER R. COTTON SCHOOL
NASHVILLE, TENN

IKE—From Page 1

President Confident About Little Rock

and Howard Cushing, president of the club.

The statement, drafted by the President with White House Press Secretary James C. Hagerty, follows:

"In the last few hours three events of major importance have occurred in the city of Little Rock.

"1. The Governor of Arkansas has withdrawn the contingent of Arkansas National Guard at Central High School.

"2. The Little Rock School Board has announced its intention to proceed to carry into effect its plans for school admissions.

"3. The local law enforcement agencies have announced that they are prepared to maintain law and order.

"The sincere and conscientious efforts of the citizens of Little Rock prior to Sept. 2 show that they are persons of good will and feel responsibility to preserve and respect the law—whether or not they personally agree with it. I am confident that they will vigorously oppose any violence by extremists.

"All parents must have a sympathetic understanding of the ordeal to which the nine Negro children who have been prevented from attending Central High School have been subjected. They and their parents have conducted

themselves with dignity and with restraint. As I said this morning, I am confident that the citizens of the City of Little Rock and the State of Arkansas will welcome this opportunity to demonstrate that in their city and in their state proper orders of a United States court will be executed promptly and without disorder."

Hagerty was asked whether the President's reference to violence had any special significance.

"Does the President have any indication that there might be violence in Little Rock on Monday?" a reporter asked.

"No," Hagerty said, "but the local law authorities have said that they can preserve law and order and are prepared to do so."

He said that there had been "reports" of violence in some quarters, but that the Federal Government had no evidence of any such threats.

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*Racial Situation - Explosion at
 Hattie R. Cotton School
 Nashville, Tenn.*

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WHY THERE IS CALM IN SISTER CITY TO LITTLE ROCK

There Are No Mobs, No Threats in Desegregated Nashville

(See Editorial on Page 18)

By EDWARD L. TOPP JR.

Scrpps-Howard Staff Writer

NASHVILLE, Tenn., Sept. 24—While rioting ripped Little Rock yesterday, 11 colored children were quietly starting their third week in desegregated Nashville grade schools.

No mobs gathered. There were no kicks, no threats, no shouted curses. The only crowds were composed of the school children themselves—white and colored—and the only police in sight were directing traffic.

Few people even noticed the colored pupils' coming and going. For Nashville school integration—at least in its first stage—is an accomplished fact. And whether they personally like it or not, Nashvillians have accepted it as such.

How could this have happened in Nashville, capital of Tennessee, when it didn't happen in the neighboring state capital of Little Rock, less than 300 miles away?

Persons who have watched the contrasting developments

in the two cities give these reasons:

• Nashville Mayor Ben West acted firmly and forcefully at the first sign of violence—and he acted on the side of upholding the law, not blocking it.

• Even the bitterest foes of integration were shocked when a school building was blasted by dynamite. In Mayor West's words, "the firebrands saw what these things can lead to."

• Nashville already had some political preparation for integration. Two of its 22 city councilmen are colored, as are two members of the Metropolitan Charter Commission to plan a proposed county-wide government.

Two highly regarded universities here, Vanderbilt and Fisk, lent a tempering influence to community feeling. Fisk is one of the finest colored colleges in the South. Vanderbilt already had paved the way for desegregation by letting colored students into its law school.

• The city police force, composed of young, hand-picked men, did an excellent job of preventing any gatherings which might have got out of control.

ings which might have got out of control.

Mayor West, 46 and round-faced, is given major credit for the fact that no major incidents have followed the school bombing. He himself passes the praise on to his 311-man police force, which includes 18 colored patrolmen.

Trained Well

"I appointed two-thirds of them myself, Mayor West said. "They were selected carefully and given good training. It paid off. They knew what to do, how to do it and when to do it."

"I imagine they disagreed with the courts (on desegregation) but they recognized their duty to abide by the law."

Oddly enough, the very fact that a school was dynamited had much to do with the city's moderate attitude.

Said Attorney Sims Crownover, a leading pro-segregationist, after the explosion:

"I am ashamed of what happened in Nashville ... The violence was inexcusable ... The blowing up of the school changed the whole

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Said Attorney Sims Crownover, a leading pro-segregationist, after the explosion:

"I am ashamed of what happened in Nashville... The violence was inexcusable... The blowing up of the school changed the whole

thing overnight"

Today the entire city is alert for signs of fresh trouble. So far there are none.

"There are no demonstrations, no agitation, no assemblies and no picketing," reported W. H. Olover, Assistant Superintendent of Schools.

Attendance

White attendance at the five integrated schools has picked up sharply after falling off during the demonstrations here two weeks ago. It is now close to normal.

Even so, complete integration in Nashville has a long way to go. Only 11 of the city's 10,526 colored pupils are attending desegregated schools. Only the first grade so far is affected. The school board is scheduled to submit a plan for ending race barriers in other grades by Dec. 31. No move yet has been made to integrate Davidson County schools outside Nashville.

What may come later no one can predict. But as of today Nashville, looking at its stricken sister city across the Mississippi, is thankful that it didn't happen here.

Racial Situation - Explosion at Hattie R. Cotton School - Nashville, Tennessee.

INTEGRATION OF PUBLIC SCHOOLS
NASHVILLE, TENN.
CIVIL RIGHTS

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ICC: AAG CRIMINAL DIVISION
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Racial Situation - Explosion at
Hattie R Cotton School.
Nashville, Tenn.

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(KASPER)
 NASHVILLE, TENN.--A CITY COURT JUDGE UPHELD TWO \$90 FINES AGAINST
 SEGREGATIONIST JOHN KASPER YESTERDAY, REDUCED ANOTHER TO \$10 AND
 DISMISSED ONE OF TWO DISORDERLY CONDUCT CHARGES AGAINST KASPER.
 JUDGE TYREE HARRIS SAID THE CHARGE HAD NOT BEEN FULLY PROVED, BUT
 UPHELD THE OTHER DISORDERLY CONDUCT CHARGE AS WELL AS A VAGRANCY
 CITATION.

KASPER'S ATTORNEY SAID HE WOULD APPEAL ALL THE FINES.

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WASHINGTON CITY NEWS SERVICE

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Tribunal Sidesteps Maryland-Virginia 'Oyster War'

High Court Won't Review Kasper Case

(See editorial on Page 18.)

By DONALD MAY

The Supreme Court yesterday refused to review segregationist John Kasper's contempt conviction, side-stepped the Maryland-Virginia "oyster war," and took many other actions in the fields of integration, civil liberties, business, government regulation and labor.

These were the main decisions:

¶ Integration

The court:

Refused to review the August, 1956, contempt conviction of Washington segregationist John Kasper for inciting Clinton, Tenn., school integration riots. He claimed his activities there were covered by freedom of speech. Lower federal judges held this does not include freedom to incite disorders to oppose the federal courts. He now must serve a year in jail. He also is awaiting sentencing in a later Clinton case in which a jury of white southerners found him and six others guilty of criminal contempt.

Refused to hear at this time an appeal by a 43-year-old political science teacher, Virgil D. Hawkins, colored, who has been trying since 1949 to be admitted as a student at the University of Florida Law School. The court told him instead to apply to a local federal court.

In doing so it avoided for now a clash with the Florida Supreme Court. That court had first ruled against Mr. Hawkins. The high court told it to reconsider in light of its basic 1954 school integration case.

The Florida Supreme Court did reconsider, and ruled he has a right to be admitted. But it refused to set a date for his admission, citing the high court's ruling that local conditions shall govern the timetable. The high court again ordered the Florida court to reconsider, saying its local conditions doctrine does not apply to graduate schools.

The Florida Supreme Court still refuses to actually order his admission. Last March, in an opinion stoutly defending states' rights, it said it couldn't "conceive" that the U.S. Supreme Court would hold that "the highest court of a sovereign state does not have the right to

control the effective date of its own discretionary process."

¶ Local

OYSTER WAR — Refused to grant a temporary order asked for by Virginia to stop Maryland from declaring it has exclusive control over Potomac River fishing, oystering and crabbing. Maryland has renounced the 1785 Compact under which both states jointly made fishing rules. It says Virginia fishermen must get Maryland licenses. Refusal to grant the temporary order doesn't mean the court won't eventually hear the "oyster war" case.

POST OFFICE — Turned down Washington Post Office workers who want overtime pay for studying routing schedules at home. They said they must take examinations on the schedules and don't have time to study them at work. The Court of Claims here said paying them for the homework would "put a premium on stupidity"—the slower the student, the higher his pay.

HOMEOPATH — Turned down an appeal by Dr. Robert H. Reddick, who headed a

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faction which said it was the Maryland board for licensing homeopathic doctors. At the same time, another faction also claimed to be the real board. Dr. Reddick was enjoined from claiming power for his group. The case became somewhat moot last June when Maryland abolished the homeopathic board entirely and said the board which formerly licensed regular doctors now will license the homeopaths, too.

¶ Civil Liberties

Reversed two cases with consent of the government:

• Junius Scales and Claude Lightfoot, convicted under a clause of the Smith Act making mere membership in the Communist Party a crime. This was to have been a test case of that clause. (The Supreme Court has upheld the clause against actually plotting overthrow.) Then along came last year's Supreme Court ruling that witnesses' statements to the FBI must be shown to defendants in criminal cases. The Justice Department agreed the Scales-Lightfoot case must

be reversed in light of that ruling.

• Simpson and others, convicted of contempt for refusing to tell the House Un-American Activities Committee where they lived. Courts have held that normally a witness can't refuse to identify himself on grounds of self-incrimination. The Justice Department conceded, however, that in this case, since the committee "had information" on individuals by the same names, it might really have incriminated them to admit that they were those individuals.

Reversed the contempt conviction of Willard Uphaus, who was sentenced to "indefinite imprisonment" for refusing to give New Hampshire's attorney general a list of guests and lecturers attending the summer camp of a group called World Fellowship, Inc. The decision followed automatically from the Sweezy case last year, in which the court said New Hampshire's no-holds-barred investigation of subversion violated freedom of expression.

¶ Business

Won't Hear — A case in which a federal appeals court ruled that New York's "fair trade" law is not enforceable against a District of Columbia mail order house. The ruling allows Masters Mail Order Co. to sell General Electric appliances to New Yorkers below the New York "fair trade" price. The District has no "fair trade" law.

Agreed to review conflicting U. S. Circuit Court rulings on the legality of "hot cargo clauses" which the Teamsters Union has included in many of its contracts with employers. Under the clauses, truckers won't handle goods of another "unfair" employer.

Won't Review — A decision by the U. S. Court of Appeals here last year allowing the Secretary of Labor to set a uniform, nationwide minimum wage for all work under government contracts in a given industry. A plea of a farmer who was given a "wheat penalty" for having too much wheat on his farm.

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Court Rejects Kasper Appeal

NASHVILLE, Tenn., Oct. 12 (AP).—Circuit Court yesterday upheld three of four City Court misdemeanor convictions against Segregationist John Kasper. All stemmed from last month's school integration troubles here.

Special Judge Tyree Harris denied Kasper's appeal from \$50 fines each for vagrancy and disorderly conduct. He reduced a \$50 fine for loitering to \$10 and dismissed a fourth \$50 fine levied on a disorderly conduct count.

Under Surveillance

City Attorney Robert Jennings said the New Jersey-born segregationist will be kept under police surveillance "as long as he is in Nashville to determine whether he finds an honest calling." As a convicted vagrant, Mr. Jennings added, "he is subject to arrest day by day."

Kasper's lawyer said the convictions will be appealed to either the State Court of Appeals or the Tennessee Supreme Court. Kasper remains free under \$600 bond.

During the lengthy hearing, Kasper was questioned closely as to where he gets his money. "That's none of your business," he snapped.

Denied Urging Violence

The substance of his testimony was that he gets his money from collections at local meetings and contributions from all over the world.

Kasper denied he advocated violence to prevent the recent start of public school integration here and said he used to mix socially with Negroes as part of his studies in anthropology at Columbia University in New York.

Kasper's trial on a State charge of inciting to riot, also stemming from the school disturbances, has been set for November 18.

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Integration in Public
Schools,
Nashville, Tenn.,
Civil Rights.

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64 OCT 23 1957

HATTIE R O COTTON SCHOOL
NASHVILLE, TENN.

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Racial Situation - Explosion at Hattie R. Cotton School - Nashville, Tenn.

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Faces One-Year Term

Kasper Is Jailed Here

Segregationist John Kasper is in District jail here today awaiting transfer to a Federal prison to serve a one-year contempt sentence on charges growing out of the Clinton, Tenn., school integration riots last year.

He was picked up by a U. S. marshal yesterday and held for the Justice Department after a Federal judge in Knoxville, Tenn., ordered his arrest.

Kasper, 27, had been free on \$10,000 bond since he was convicted of criminal contempt in September, 1956. The Supreme Court Monday

turned down his appeal for a rehearing.

Kasper was convicted in Knoxville, Tenn., this summer for his action during the integration of schools there, and he still has charges hanging over his head for inciting to riot in Nashville, Tenn., early this fall.

Kasper's segregationist career as head of the Seaboard White Citizens Council declined following his Clinton conviction, and suffered an almost complete eclipse since being accused in Nashville of helping haul dynamite to a private home the night a white school was bombed.

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Racial Situation - Explosion At
Hattie R. Cotton School
Nashville, Tennessee

Tennessee's Capital at 'Peace' on Integration

Has Nashville

Pointed the

Way for Dixie?

Pittsburgh, Pa.

PRESS

SUN-TELEGRAPH

POST-GAZETTE

COURIER ✓

Date 10-19-57

Edition New York

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Column 1-5

Author of Article

Editor (on editorials)

Title of Case

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NASHVILLE, Tenn.—Long regarded as the "Athens of the South," this city of universities and colleges, is being looked upon as having pointed the way toward leading Dixie out of her wilderness which is surrounding the mixing of her public schools.

A scant month ago, Nashville was on the verge of being the number one battleground in the integration dispute.

Mobs of hate-ridden whites had resorted to the bombardment of Negro cars with pop bottles and brickbats. They had been keyed to a fever pitch by the fact that for the first time in the history of this hilly town, Negro pupils had been assigned to formerly all-white public schools.

■
TODAY, Nashville is at peace with herself. Integration is a fait accompli and there is no indication that her populace is determined to put brakes on the progress that has been made.

Neutral observers have cause to ask "What caused the change?"

The answer might be found in the fact that the bigots were, in part, responsible for their own defeat when the brand new \$500,000 Hattie Cotton elementary school was dynamited into bits because one Negro child had been registered in kindergarten.

■
ANOTHER reason lies in the

fact that Nashville's local authorities were quick to recognize their responsibilities and set about to eliminate the causes of lawlessness.

Assistant School Superintendent W. H. Oliver explained, "One thing in our favor is that the governor let us alone. We knew we could call on him for help if we needed to. Clinton did. But he assumed and we assumed that this thing was our responsibility right here.

The second thing that helped us is the magnificent job done by Chief Douglas Hosse and the Nashville police. They got tough when they had to, and it paid off.

"Judge Andrew Doyle handed out some pretty stiff sentences. It would have been a lot different if he had turned some of those people loose."

If asked what made the crack-down on the lawless elements meet with such widespread acceptance, Nashvillians could say that newspapers, ministers and a Federal injunction, coupled with the destruction of the Hattie Cotton school, were the key factors in bringing about the "right attitude."

The threat of a boycott of integrated schools proved to be an empty gesture and Nashville today is on the path toward becoming a genuine American city.

NASHVILLE STRESSES SCHOOL PREFERENCE

Desegregation Plan Similar
To One Overruled By
Court Previously

By JAMES EWING

From The Commercial Appeal
Nashville Bureau

NASHVILLE, Dec. 4.—A pro-segregation group's plan for desegregating city schools was adopted Wednesday by the Nashville School Board.

Calling for integration on a voluntary basis only, the plan would leave it up to white students and their parents to decide whether they want to attend school with Negroes.

To File Plan Tomorrow

No child would be forced to attend a school with a member of the opposite race and integrated schools would be designated for those children expressing a preference for them.

Elmer Pettit, acting chairman of the school board, said the plan will be filed in Federal Court Friday as the school board's proposal for further desegregation of Nashville schools. City schools were integrated this year at the first grade level in compliance with a Federal Court order.

Judge William E. Miller gave the board until Dec. 31 to propose a plan for completing school desegregation through the 12th grade.

Overruled In September

The voluntary integration plan was suggested by the Parents School Preference Committee after Judge Miller overruled an almost similar plan which called for "voluntary segregation."

In overruling that proposal last September, Judge Miller also ruled unconstitutional a 1957 law permitting operation of segre-

(Continued on Page 5, Col. 1)

NASHVILLE STRESSES SCHOOL PREFERENCE

Desegregation Plan Similar
To One Overruled

GOING TO COURT AS TEST

(Continued from Page One)

gated schools on a voluntary basis.

Mr. Pettit said the new plan is being presented as a test as a result of much "pressure" even though he could not see much difference between it and the one overruled previously.

Mr. Pettit said members of the board's Instruction Committee have become "overwhelmingly of the opinion that the people of Nashville are deeply and conscientiously opposed to compulsory integration."

Here is how the plan would work, according to Thomas P. Gore, attorney for the School Preference Committee:

Three Types of Schools

There would be three types of schools, as follows:

1. For white students whose parents want them to attend all-white schools.

2. For Negro students whose parents want them to attend all-Negro schools.

3. For students whose parents want them to attend integrated schools.

Backbone of the plan, Mr. Gore said, would be an annual census. It would be taken in connection with report cards, through which the parent would be able to list the school preference of his child.

In arguing for the plan, Mr. Gore has also cited the advantages of modern-day transportation, which could be used in helping children attend the schools of their preference. He also called attention to the use of transportation facilities in New York to "force integration."

Violence Touched Off

Although only 11 Negroes entered white schools under the desegregation plan this fall, violence was touched off which was climaxed with the dynamiting of the Hattie Cotton Elementary School, where a Negro entered school with 500 white children.

A Federal injunction was issued against segregationist John Kasper and 11 others barring them from further interference with the desegregation order and Kasper was indicted by a Davidson County Grand Jury for inciting to riot.

His trial is being held up pending completion of 18 months in Federal penitentiary sentences for interfering with desegregation of Clinton High School.

*Racial Situation Explosion
At Hattie R. Cotton
School Nashville, Tennessee*

THE COMMERCIAL APPEAL
MEMPHIS, TENNESSEE
DATE 12-5-57

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